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LEGISLATIVE HISTORY
Public Law 91-485
S. 1708

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INDEX AND SUMMARY OF S. 1708

Mar. 27, 1969	Senator Jackson introduced and discussed S.1708 which was referred to Interior and Insular Affairs Committee. Print of bill as introduced and remarks of author.
May 21, 1969	Senate committee voted to report S.1708.
June 5, 1969	Senate committee reported S.1708 with amendment. S. Rept. 91-227. Print of bill and report.
June 12, 1969	Senate began debate on S.1708
June 26, 1969	Senate passed S.1708
June 27, 1969	S.1708 was referred to House Interior and Insular Affairs Committee. Print of bill as referred.
Feb. 16, 1970	Rep. Aspinall introduced H.R. 15913 which was referred to House Interior and Insular Affairs Committee. Print of bill as introduced.
Apr. 28, 1970	House subcommittee approved H.R. 15913 for full committee consideration.
May 13, 1970	House committee voted to report H.R. 15913
June 24, 1970	House committee reported with amendment, H.R. 15913 H. Rept. 91-1225. Print of bill and report.
July 20, 1970	Rules committee granted rule for consideration of H.R. 15913.
Aug. 10, 1970	House passed S.1708 in lieu of H.R.15913 inserting language of H.R. 15913.
Oct. 22, 1970	Approved: P.L. 91-485

91st CONGRESS
1st Session

S. 1708

IN THE SENATE OF THE UNITED STATES

March 27, 1969

Mr. Jackson (for himself and Mr. Magnuson) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Federal Lands for Parks
4 and Recreation Act of 1969".
5 Sec. 2. Section 2 (b) of the Land and Water Conserva-
6 tion Fund Act of 1965 (78 Stat. 897), as amended (effec-
7 tive March 31, 1970, section 2 (b) becomes section 2 (a)
8 pursuant to the provisions of Public Law 90–401, July 15,
9 1968), is further amended by deleting the last sentence and
10 adding the following new paragraphs:
11 "*Provided, however,* That, notwithstanding the provi-

1 sions of the Surplus Property Act of 1944, as amended, and
2 the Federal Property and Administrative Services Act of
3 1949, as amended, States and their political subdivisions
4 shall have the right, for a period of five years from the
5 date of enactment of this Act, to acquire from the United
6 States surplus Federal real and personal property for park
7 and recreation purposes by the following methods:

8 "(1) Where the State or its political subdivision
9 originally donated the property to the United States,
10 the surplus Federal property may be reacquired at no
11 cost;

12 "(2) Where the United States paid valuable con-
13 sideration for the property to the State, its political
14 subdivisions, an association, or to an individual, the
15 State or its political subdivision may acquire the surplus
16 Federal property at the original cost of purchase; or

17 "(3) Where a State or its political subdivision so
18 elects, it may acquire surplus Federal property at zero
19 to 50 per centum of the fair market value as determined
20 by the General Services Administration in accordance
21 with the recommendations of the Secretary of the In-
22 terior based on the following standards:

23 "(i) the suitability of the property for park
24 and recreational uses;

1 "(ii) the accessibility of the property to major
2 population centers;
3 "(iii) the need for park and recreational facili-
4 ties in the immediate geographical area;
5 "(iv) the highest and best use of the property
6 taking into consideration the need of future genera-
7 tions for parks, open spaces, and recreational
8 opportunities.
9 "The Secretary of the Interior is directed to prepare and
10 publish guidelines and regulations for implementing these
11 standards in making the price discount determinations set out
12 in this section.
13 "Except as provided in this section, nothing in this Act
14 shall affect existing laws or regulations concerning disposal of
15 real or personal surplus Federal property to schools, hospitals,
16 States, and their political subdivisions."

91st CONGRESS
1st Session

S. 1708

A BILL

To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

By Mr. Jackson and Mr. Magnuson

March 27, 1969

Read twice and referred to the Committee on Interior and Insular Affairs

they will be so disseminated to children. Further, it will place all Federal enforcement powers regarding obscenity into one division of the Department of Justice.

Mr. President, I believe this bill is in response to a national menace. To me the present situation represents a clear and present danger to the American people. The exposure of minors to the kind of trash that is being sent through the mails and other means of commerce can only result in the impairment of the ethical and moral development of our youth.

As far as the citizens of my State are concerned, there must be prompt and effective action taken at the highest levels of Government to stop the purveying of obscenity to minors. There is something terribly wrong in this land, when in a single morning's mail I have received as many as six letters from parents and concerned citizens of my State who plead that steps be taken to eliminate the unsolicited smut being sent to their homes through the mail.

Mr. President, I believe there is one decisive action we can take to answer the American public—and that is to pass a strong new law aimed squarely at the protection of minors. Strangely enough, there is no such law now on the books.

There is no question that the Government has an interest and an obligation to protect the welfare of our children. To this end our bill has been prepared with deliberation. We realize the measure must be strong to succeed in its purpose. But at the same time it must be safeguarded against the attacks of those knee-jerk civil libertarians who will see more social value in the output of smut-makers than in the protection of minors from exposure to materials which are undermining to their normal development.

Mr. President, every effort has been made to make this measure Constitutional. The United States Supreme Court has offered a guide in a recent decision upholding a statute of New York State designed to protect minors from obscene matter. This case, *Ginsberg* v. *New York,* 390 U.S. 629 (1968) has served as an aid in framing our bill. Also, the bill is patterned after the provisions of a revised law adopted by Congress only sixteen months ago for the District of Columbia (D.C. Code 22–2001). Thus, most of the provisions of our bill have already been tested and approved in the courts and by the Congress.

Mr. President, I wish to call attention to one feature of the bill which we believe is original and is likely to offer a very practical means to prevent obscene materials from reaching children. Due to the problem that some persons will be able to evade the purposes of the law because of the difficulty of proving that they knowingly sent obscenity to a child, we determined that some of the burden should be shifted to the purveyors of filth to keep their trash out of the hands of minors. Therefore, our bill includes the requirement that any publisher or seller who knows or has reasonable cause to know that any matter which he intends to mail is obscene and harmful to minors must indicate on the cover of such mail that the contents are harmful if exposed to minors. This provision further requires that any matter sent through the mails which shows such an indication shall not be delivered unless the postman obtains a receipt signed by an adult. Of course, there will be no penalty inflicted on the mailman in case he should make a mistake.

But the purveyor of filth will be guilty if he sends prohibited material through the mails in unmarked containers. On the other hand, if the sender does use the required indication, the matter will not be delivered indiscriminately to whomever opens the mail first, but will only be handed over in person by the mailman to an adult.

Hopefully, any adult receiving such material—which likely was unsolicited in the first place—will destroy it. At the very least, he will be able to keep it away from any minors in his family. As a further step, he will be in a position to notify his post office that all mail with such a marking is objectionable and should not be delivered at all to his residence. I should point out that nothing in this provision will make lawful any conduct which is otherwise prohibited. If the seller "knowingly" mails obscene matter directly to a minor he will be guilty of violating the major purpose of the law whether or not he indicates that the matter is harmful. Or if a seller forwards matter in the mails which is obscene both to minors and adults, he will run afoul of the criminal code regardless of whether the cover included a warning to children.

Mr. President, I believe there are precedents for this type of provision in many areas of the law. For one, the Gun Control Act of 1968 requires that firearms cannot be sold to anyone who does not appear in person at the dealer's place of business unless the dealer first forwards a prescribed statement by registered or certified mail with a return receipt requested to the chief local law enforcement officer. The parallel is clear. In both cases an additional burden is imposed on the seller because of the over-riding interest of the Congress in protecting the public safety. Consequently, lest any weeping towels be brought out because of the slight fee the makers and purveyors of smut will have to pay as handling charges to the postal service, I point out that the procedure is clearly reasonable in light of the objectives of our bill and is a practice that Congress has used before. As to the requirement that a designation be made to identify the nature of the contents, we are all familiar with precedents such as the laws which require warning messages on the labels of cigarettes and notices on the face of advertisements that look like bills but in fact are only offers to sell.

Mr. President, in summary I urge that action be taken on legislation along these lines as soon as possible. If anyone wishes this problem to be studied further, I make an appeal to pass this law or one with a similar purpose first and then to focus any study on ways to strengthen the law or add to it. The American people deserve the most effective laws we can conceive to eliminate this danger to our youth. We must act now.

S. 1703—INTRODUCTION OF FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, the Federal Lands for Parks and Recreation Act of 1969.

The purpose of this measure is to make surplus Federal property available to State and local governments for park and recreational purposes at prices which reflect the important role recreation and open spaces play in our contemporary life. This bill is in accord with and in furtherance of our longstanding national policy as expressed in the land and water conservation fund and other measures designed to encourage State and local governments to acquire and develop lands for parks and outdoor recreation.

This bill is of special importance to many of our major metropolitan areas where the need for parks and open spaces is greatly increasing while at the same time the limited land available is being dedicated to other, often incompatible, purposes. If we are to improve the quality of life and surroundings for the residents of our major cities, we will have to take advantage of every future opportunity to acquire land adjacent to where people live for recreational and park purposes.

In spite of our longstanding national policy to encourage and assist State and local governments in the acquisition of open spaces we are not coming close to meeting the need. A recent report of the National League of Cities on "Recreation in the Nation's Cities: Problems and Approaches" concludes:

> Land acquisition (for parks and recreation facilities) has become difficult, if not impossible, in most of the Nation's cities. Except in outlying areas land is very scarce and even in outlying areas it is extremely valuable. Even when there is land available the need for new acreage far outstrips available funds.

As a result of the high price of potential park and recreation areas which are located where they are needed most—where the people are—many cities are unable to meet the demand. The League of Cities report notes, for example, that San Antonio, Tex., a city of 722,000 people has been able to acquire an average of only 6 acres of park land per year between 1945 and 1961. It is estimated that 170 acres should have been added each year if the needs of city residents were to be met. This same picture of inadequate revenues to meet the public need for open space is repeated in city after city.

One way to meet this need for city parks and recreation areas is to take advantage of every available opportunity to see that appropriate parcels of surplus Federal property are dedicated to the highest and best use of the American public. The crowding, the congestion and the growing pressures of modern life make it clear that one of the highest and best uses of land in the last one-third of the 20th century is for parks and open spaces.

Today, there are over 30 million acres of land presently held in fee ownership and used by the Department of Defense alone. Periodically, portions of this property are declared surplus. Many of these surplus military installations are located in or near major metropolitan areas and afford a great opportunity for urban park and recreational complexes. Surplus property held by other departments of the Federal Government afford similar opportunities.

Mr. President, passage of the measure I propose today will make it possible for the Congress to insure that the States and units of local government in this Nation have a chance—a financially realistic chance—to acquire these lands for park and recreational purposes.

The Federal Lands for Parks and Recreation Act of 1969 would amend the Land and Water Conservation Fund Act by providing that for a period of 5 years after the date of enactment, surplus Federal property could be conveyed to State and local government for park and recreational use at less than the 50 percent of fair-market value required under present law.

The bill provides three methods by which a State or its political subdivision may acquire surplus Federal property for park and recreational purposes. First,

if the State or its political subdivision originally donated the property to the Federal Government, it may be reacquired at no cost. Second, the property may be acquired at the purchase price which the Federal Government paid for the property. Third, where the State or its political subdivision so elects, surplus property may be acquired at 0 to 50 percent of fair-market value. The price is to be determined on the basis of standards relating to suitability, accessibility, need and the highest and best use of the property.

One of the most significant features of this measure is that it does not require the use of condemnation powers. As a result, it provides a means whereby needed open space may be made available without having to move people out of established neighborhoods.

Mr. President, I became aware of the urgent need for legislation on this subject when it became apparent that Fort Lawton—a military installation of over 1,100 acres in the city of Seattle—would soon be declared surplus to Federal needs. Acquisition of this area by the city for park and recreation purposes is in the national interest. The problem Seattle and many other units of local government face, however, is that paying 50 percent of fair-market value may be financially impossible. This is especially true when the property is located in or near a major metropolitan area and the land appraisals are based on commercial, industrial or high density residential development.

The problem posed is national in scope. The Citizens Advisory Committee on Recreation and Natural Beauty recommended that legislative action be taken in its June 1968 annual report to the President and to the President's Council on Recreation and Natural Beauty. The Citizens Committee stated at page 5 of the report:

OUTDOOR RECREATION AND FEDERAL SURPLUS LANDS

Each year vast amounts of land become surplus to the operating needs of the Federal government. Some of the land is disposed of through sale to public or private entities while other acreages are held for future disposition. We are interested in assuring that the public outdoor recreational needs will be served in the sale or disposition of these lands, and that the eventual use of such lands is compatible with the land use plans and objectives of the public jurisdiction in that area. We recommend that the Administration seek legislation to permit the disposal of surplus lands at no cost to public bodies for park and recreation purposes. We recommend that, where possible, military lands be made available for public outdoor recreational use.

Enactment of this legislation would benefit every State and every area of the country which has Federal property and installations which may someday be surplus to Federal needs. It is imperative that we act and act now to insure that these lands are available for public use.

As Members of the Senate are aware, under the provisions of the Land and Water Conservation Fund Act the proceeds from the sale of surplus Federal real property are paid into the fund for use by Federal, State, and local government for recreational land acquisition and development. My bill would result in some reduction in revenues paid into the fund. This small reduction would, however, be offset many times by the value of new park and recreational lands made directly available to the Nation. Very often, the sale price realized from many of these properties is relatively small when compared with the overall receipts to the land and water fund. To local government, however, the 50-percent-of-fair-market-value requirement under present law can be too much for overextended and limited budgets. When this is the case, the land may be forever lost to public use.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, it is my understanding that a report entitled "Utilization and Disposition of Federal Lands for Recreation" was prepared last summer which also recommends legislation on this subject. This report was prepared by the President's Council on Recreation and Natural Beauty at the request of the Vice President of the United States, who serves as Chairman of the Council.

This report has not been released and I do not know what specific legislative recommendations it proposes. I would, however, urge Vice President AGNEW to release the report and to see that the administration's proposed legislation be transmitted so that it may be considered together with my bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1708) to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Lands For Parks and Recreation Act of 1969".

SEC. 2. Section 2(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (effective March 31, 1970, Section 2(b) becomes Section 2(a) pursuant to the provisions of Public Law 90–401, July 15, 1968), is further amended by deleting the last sentence and adding the following new paragraphs:

"*Provided, however,* that notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions shall have the right, for a period of five years from the date of enactment of this Act, to acquire from the United States surplus Federal real and personal property for park and recreation purposes by the following methods:

(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired at no cost;

(2) Where the United States paid valuable consideration for the property to the State, its political subdivisions, an association, or to an individual, the State or its political subdivision may acquire the surplus Federal property at the original cost of purchase; or

(3) Where a State or its political subdivision so elects, it may acquire surplus Federal property at 0 to 50 percent of the fair-market value as determined by the General Services Administration in accordance with the recommendations of the Secretary of the Interior based on the following standards:

(i) the suitability of the property for park and recreational uses;

(ii) the accessibility of the property to major population centers;

(iii) the need for park and recreational facilities in the immediate geographical area;

(iv) the highest and best use of the property taking into consideration the need of future generations for parks, open spaces and recreational opportunities.

The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing these standards in making the price discount determinations set out in this section.

Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States and their political subdivisions.

S. 1710—INTRODUCTION OF A BILL TO DONATE CERTAIN LANDS TO THE MINNESOTA CHIPPEWA TRIBE, WHITE EARTH INDIAN RESERVATION

Mr. MONDALE. Mr. President, I am today reintroducing legislation which I first introduced on May 23, 1967. This bill, identical to S. 1830 of the 90th Congress, restores to the Minnesota Chippewa Tribe, White Earth Reservation, certain submarginal lands of the United States and makes such lands part of the reservation. These properties consist of approximately 28,700 acres purchased by the Federal Government during the mid-1930's under title II of the National Industrial Recovery Act. The lands were so acquired in order to retire them from private ownership, to correct maladjustments in land use, and with the expectation that they would be made available for tribal use.

Mr. President, these lands were originally owned by the Minnesota Chippewa Tribe. Unfortunately, they were allotted under the allotment act and subsequently passed from Indian ownership. The Government acquired the lands at a cost of $175,664. In 1963, when similar legislation was introduced in the Congress, their market value was placed at $474,000 by appropriate governmental agencies.

Similar legislation has already been enacted, Mr. President, restoring property to the Seminoles of Florida and to the Pueblos and other tribes in New Mexico. I am, therefore, most hopeful that this legislation will receive favorable consideration during the present session. I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1710) to donate to the Minnesota Chippewa Tribe, White Earth

May 21, 1969

SENATE

9. RECREATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 1708, to enable States to acquire Federal surplus property for use for parks and recreation purposes (amended). p. D414

10. WATER RESOURCES. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 574, authorizing the Secretary of the Interior to conduct feasibility studies of three water resource development units of the Missouri River Basin project. p. D414

11. WILDERNESS. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 412, to classify as wilderness the national forest lands known as the Lincoln Back Country, Mont.; S. 1652, to designate as wilderness certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass.; S. 126, to designate as wilderness certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla.; S. 826, to design as wilderness certain lands in the Seney, Huron Islands and Green Bay National Wildlife Refuges in Wisc., and Moosehorn National Wildlife Refuge in Maine. p. D414

EXTENSION OF REMARKS

12. RURAL LOANS. Rep. Hamilton stated that he was "distressed with the President's decision to reduce sharply funds for the construction of rural water and sewer lines." p. E4157

13. PACKAGING. Rep. Kyros inserted an article on the use of an absorption pad in the packaging of fresh meat and poultry products. p. E4165

14. FOREIGN TRADE. Rep. Mize inserted an article, "Will the Value-Added Tax Solve Our Foreign Trade Problems?" pp. E4177-8

15. TIMBER SUPPLY. Rep. Blackburn inserted his testimony before the House Agriculture Committee supporting the proposed National Timber Supply Act. pp. E4184-5

16. PRICES. Rep. Price, Tex., inserted an article, "Agriculturally Speaking", which suggests that when housewives complain about food prices they should take into consideration the low prices farmers receive for their products and the high prices they pay for farm machinery. p. E4188

17. PESTICIDES; GERM WARFARE. Rep. Kastenmeier commended and inserted an article, "Banning Poison Gas and Germ Warfare: Should the United States Agree?" pp. E4207-20

BILLS INTRODUCED

18. TIMBER YIELD. H. R. 11513, by Rep. Biaggi, H. R. 11535 by Rep. Hawkins, H. R. 11541 by Rep. Leggett, H. R. 11556 by Rep. Wold, and H. R. 11560 by Rep. Addabbo, to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund; to Agriculture Committee.

H. R. 11564 by Rep. Conyers, to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund; to Agriculture Committee.

19. RESEARCH. H. R. 11542 by Rep. Miller of Calif., to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to Science and Astronautics Committee.

H. R. 11550 by Rep. Scheuer with remarks of author pp. H3933, and H. R. 11551 by Rep. Scheuer, to promote public health and welfare by expanding improving, and better coordinating the family planning services and population research activities of the Federal Government; to Interstate and Foreign Commerce Committee.

20. PERSONNEL. H. R. 11569 by Rep. Conyers, to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to Post Office and Civil Service Committee.

H. R. 11570 by Rep. Conyers, to amend subchapter III of chapter 83 of title 5, U.S.C., relating to civil service retirement and for other purposes; to Post Office and Civil Service Committee.

21. FOOD ADDITIVES. H. R. 11517 by Rep. Broyhill of Va., to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements; to Interstate and Foreign Commerce Committee.

22. TAXATION. H. R. 11520 by Rep. Collins, to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in construction such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures; to Ways and Means Committee.

23. RICE INSPECTION. H. R. 11525 by Rep. Edwards of La., to improve rice inspection; to Agriculture Committee.

24. FARM PROGRAM. H. R. 11528 by Rep. Goodling, to adjust agricultural production, to provide a transitional program for farmers; to Agriculture Committee.

25. IMPORTS. H. R. 11531 by Rep. Gubser, to amend section 8e of the Agricultural Adjustment Act of 1933, the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported raisins and prunes; to Agriculture Committee.

26. TRANSPORTATION. H. R. 11532 by Rep. Halpern, to clarify and strengthen the cargo-preference laws of the United States; to Merchant Marine and Fisheries Committee.

June 5, 1969

11. PRIVACY; INFORMATION. Rep. Betts spoke in favor of his bill, H. R. 10566, to protect individual privacy, cited a case in point, and said we must seek to establish a balance between the individual's desire to be left alone and the Government's need for information. pp. H4562-3

12. LEGISLATIVE PROGRAM. Rep. Albert announced that Monday is District day, but there are no District bills, that H. R. 11271, the NASA authorizations bill will be considered under an open rule with 2 hours of debate on Tuesday; and for Wednesday and the balance of the week H. R. 6543, Public Health Cigarette Smoking Act of 1969, which is subject to a rule being granted. Conference reports may be brought up at any time and any further program may be announced later. p. H4566

Consent was granted that Calendar Wednesday business be dispensed with next Wednesday. p. H4566

13. ADJOURNED until Mon., June 9. pp. H4566, H4575

SENATE

14. TARIFFS. The Finance Committee reported with amendment H. R. 4239, to amend the tariff schedules so as to prevent payment of multiple customs duties in the case of horses temporarily exported for racing purposes (with an amendment to include lamb in the meat quotas) (S. Rept. 91-225). p. S5930

15. CONSERVATION. The Interior and Insular Affairs Committee reported with amendment S. 1708, to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) (S. Rept. 91-227). p. S5930

16. RADIATION. Received from the President the annual report of the Radiation Control for Health and Safety Act of 1968 (H. Doc. 91-126). p. S5907

17. WATER. Sen. Moss inserted an article, "Water for a Thirsty Continent." pp. S5915-7

18. RESEARCH. Sen. Moss inserted an article in which the author stated research and development spending is the best investment America can make. pp. S5918-20

19. FARM PAYMENTS. Sen. Hruska opposed limiting farm payments "except by enactment of new legislation" and inserted an editorial, "Limiting Farm Payments." pp. S5920-1

20. POVERTY. Received from OEO a proposed bill to provide for the continuation of programs authorized under the Economic Oppotrunity Act of 1964; to the Labor and Public Welfare Committee. pp. S5927-8

21. SMALL BUSINESS. Sen. Bible announced hearings on June 10, 11, and 12, by the Select Committee on Small Business on the Organization and Operation of the Small Business Administration. p. S5951

22. NATIONAL PARKS. Sen. Jackson announced hearings on June 11 before the Full Committee on Interior and Insular Affairs on the Everglades National Park. p. S5951

23. HEALTH. Sen. Long assured the Senate that the Finance Committee "will continue to do all possible to expose fraudulent activity and other costly abuses in medicare and medicaid." p. S5958

24. POLLUTION. Sen. Nelson inserted an article, "Water Pollution: It's No Joke-Problem Called a Major Peril." pp. S5981-2

25. DAIRY. Sen. Proxmire urged Treasury to enforce protective tariff laws in relation to dairy products. p. S5982

26. PESTICIDES. Sen. Nelson inserted an article, "Sixty West Coast Scientists Urge Reagan to Seek a Ban on DDT." pp. S5986

27. ELECTRIFICATION. Sen. Curtis inserted winning essays submitted by students to a contest sponsored by individual Neb. rural power systems in cooperation with the Nebraska Rural Electric Association. pp. S5990-2

28. ENVIRONMENTAL QUALITY. Sen. Jackson inserted portions of his statement and the text of an amendment submitted for him to a bill to establish a national policy for the environment. pp. S5995-7

29. NUTRITION. Sen. Mondale inserted a letter he received from the Child Welfare League of America, Inc. supporting proposed legislation designed to bring nutritional, educational, and health services to poor children. pp. S5998-9

30. RURAL-URBAN BALANCE. Sen. Mondale commended and inserted former-Secretary Orville Freeman's article on rural-urban balance. pp. S6005-9

31. ADJOURNED until Mon., June 9. p. S6070

EXTENSION OF REMARKS

32. FARM PAYMENTS. Sen. Dole inserted an article, "Farm Payment Change Should Await A Whole New Program." p. E4633

33. TAXES. Rep. Miller, Ohio, said that "grassroots concern about rising taxes... continued to grow" and inserted an article on this subject. pp. E4634-5

34. TRANSPORTATION. Sen. Randolph inserted an article on transportation problems. pp. E4640-4

35. FOREIGN AID. Rep. Bush stated that "I have long felt that we needed to totally revamp our foreign aid program to give primary emphasis to population control and agricultural improvement. pp. E4644-5

36. ELECTRIFICATION. Sen. Hruska commended REA programs and inserted prize winning essays on the value of rural electrification. pp. E4648-50
Reps. Cunningham and Denney inserted prize winning essays. pp. E4672, E4681

37. LIVESTOCK MEETING. Rep. Berry stated that the S. Dak. Stockgrowers Ass'n is to hold its annual meeting this weekend and that the keynote speaker will be Secretary Hardin. pp. E4650-1

Calendar No. 216

91st Congress, 1st Session | SENATE | Report No. 91-227

FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969

June 5, 1969.—Ordered to be printed

Mr. Jackson, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany S. 1708]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 1708) to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Delete all after the enacting clause and insert instead the following language:

That this Act may be cited as the "Federal Lands for Parks and Recreation Act of 1969".

Sec. 2. Section 2(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (effective March 31, 1970, section 2(b) becomes section 2(a) pursuant to the provisions of Public Law 90-401, July 15, 1968), is further amended by deleting the last sentence and adding the following new paragraphs:

"*Provided, however,* That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions may acquire until June 30, 1973, from the United States for public park and recreation purposes surplus Federal real property together with such improvements, equipment, and related personal property that the Secretary of the Interior has recommended to the Administrator of the General Services Administration for such acquisition based upon the suitability of the property for park and recreational uses; the accessibility of the property to major population centers; the need for park and recreation facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of this Act; and the highest and best use of the property taking into consideration the need of future generations for parks, open spaces, and recreational opportunities. Conveyances of such property for park or recreation purposes shall be in accordance with one of the following methods as determined by the State or political subdivision thereof:

"(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired without the payment of any consideration; or

"(2) Where a State or its political subdivision so elects, the surplus Federal property may be acquired at zero to 50 per centum of the fair market value, as determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior; or

"(3) Where the United States paid valuable consideration for the property to the State, its political subdivisions, or to any person, the State or its political subdivision may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition.

"Deeds conveying any surplus real property disposed of under this authority shall be issued by the General Services Administration and shall provide that the property shall be used and maintained for the purpose for which it was conveyed, and, in the event that such property ceases to be used or maintained for such purposes, such property shall at the option of the Secretary revert to the United States. The deeds may also contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interest of the United States. The Secretary of the Interior may exercise all of his existing authorities under section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, as to property transferred under this Act. The State and their political subdivisions shall compensate the United States for the administrative costs of surplus property transfers made pursuant to this Act.

"The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing the provisions of this Act.

"Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions."

Purpose of S. 1708

The purpose of this measure, which was introduced by Senator Jackson for himself and 20 cosponsors, is to make surplus Federal property which is suitable for park and recreational uses more readily available to State and local governments. This measure would amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897, as amended), by authorizing the sale of surplus Federal properties at less than the full 50 percent of fair market value which is required under present law.

Committee Amendment

The committee amended he bill by deleting all after the enabling clause, and substituting language to adopt, in substance, suggestions made by the Department of the Interior and the Bureau of the Budget in their reports submitted on this measure on May 14, 1969.

The effect of the committee amendment is as follows:

1. The 5-year term of the authorization was changed to become coterminous with the existing June 30, 1973, termination date of certain revenue assignments to the land and water conservation fund.

2. The requirement is added that the Secretary of the Interior is to make recommendations on both: (1) whether the surplus real and personal property is suitable for park and recreation use; and (2) what price discount should be used if the property is transferred pursuant to the price discount provision.

3. Consideration of the State or local government's "need" for the property for park and recreation purposes is amended to specifically relate "need" to the comprehensive statewide outdoor recreation

plan presently required under section 5 (d) of the Land and Water Conservation Fund Act.

4. References made to "association" and "individiaul" are deleted, and the word "person" is substituted in describing the recipients of moneys paid by the United States for the original acquisition of the property.

5. Language is added requiring that a reverter clause be placed in the deeds on property transferred pursuant to this act. The clause would apply if the property was not used for the purpose for which it was conveyed.

6. Language is added to the effect that the Secretary of the Interior in recommending whether surplus real property is suitable for park and recreational use, is also to make recommendations concerning the disposition of the improvements, equipment, and related personal property.

7. Language is added which requires the States and their political subdivisions to pay the administrative costs associated with the transfer of properties pursuant to this act.

Background

Under section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) as continued in effect by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), surplus Federal property may be purchased by States and their political subdivisions for park and recreation purposes at a full 50 percent of fair market value. The General Services Administration has the authority to convey these lands, including improvements and equipment located thereon, after the Department of the Interior determines they are suitable or desirable for such purposes.

Under the present law, surplus Federal land may be acquired for certain public purposes, other than park and recreational uses, at discounted prices varying from no cost to 50 percent of fair market value. These purposes include:

1. *Historic monuments.* Lands intended for this purpose are provided at no cost in accordance with the Surplus Property Act of 1944, as continued in effect by the Federal Property and Administrative Services Act of 1949. Property for this purpose may be conveyed to States or their political subdivisions at no cost pursuant to a determination by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, that the land in question is suitable or desirable for such purposes.

2. *Public airports.* Lands intended for this purpose are provided at no cost in accordance with section 13(g) of the Surplus Properties Act of 1944 (50 U.S.C. App. Supp. 1622(g)), as continued in effect by the Federal Property and Administrative Services Act of 1949 and amended by Public Law 311, 81st Congress (50 U.S.C. App. 1622 (a)–(c)). Prior to conveyance, the Administrator of the Federal Aviation Administration must determine that such land is essential, suitable, or desirable for that purpose.

3. *Wildlife conservation.* Lands intended for this purpose are provided at no cost in accordance with Public Law 537, 80th Congress (16 U.S.C. 667(b)).

4. *Health or education purposes.* Lands intended for this purpose are provides at 0 to 50 percent of fair market value in accordance with the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(k)). The Administrator of the General Services Administration, at his discretion, may determine real property and related physical improvements available for such purposes and assign them to the Department of Health, Education, and Welfare. The Department may convey these lands at a discounted price to States, their political subdivisions, and qualified nonprofit institutions with the approval of the General Services Administration.

Need for This Measure

S. 1708 was introduced by Senator Jackson on March 27, 1969, to assist State and local governments in acquiring lands for park and recreational purposes to meet burgeoning outdoor recreation demands.

In spite of a longstanding national policy to encourage and assist State and local governments in the acquisition of open spaces, as expressed in the Land and Water Conservation Fund Act of 1965 and in other measures, this need is not being adequately met. To meet this demand, alternative methods of land acquisition are required, as are better and more efficient use of lands presently held in public ownership

As of December 31, 1968, surplus Federal lands were located in 48 of the 50 States, as well as in the District of Columbia, Puerto Rico, and the Virgin Islands. Some of these lands are well suited for park and recreational use and could be used to meet a portion of this demand. A report prepared by the Bureau of Outdoor Recreation on May 16, 1969, classified surplus lands in 21 States, totaling nearly 12,000 acres, the majority of which have park and recreational potential, if applied to that purpose.

Although present law has provided State and local governments with a 50-percent discount for acquisition of land for park and recreation purposes, the present surplus property laws have not been as effective as desired, particularly in urban areas where the need is the greatest.

Under the provisions of section 13(h) (the 50-percent discount provision of the Surplus Property Act of 1944, as amended), State and local governments have received very little assistance in meeting the demand for recreation, parks, and open spaces. Testimony presented at the May 14 hearing on S. 1708 by the Assistant Secretary of the Interior for Public Land Management, Harrison Loesch, revealed the following:

> Some indication of the failure of State and local governments to utilize the existing discount authority under section 13(h) of the Surplus Property Act of 1944, as amended, is reflected in the fact that for fiscal year 1968, only 22 properties totaling 2,740 acres, were conveyed to State and local governments for park and recreational purposes. As a matter of fact, since the enactment of that section, State and local governments have received an average of less than $1 million annual assistance thereunder.

The problems urban areas face in acquiring open space property were set out in a recent report of the National League of Cities on

"Recreation in the Nation's Cities: Problems and Approaches." The report concludes that:

> Land acquisition (for parks and recreation facilities) has become difficult, if not impossible, in most of the Nation's cities. Except in outlying areas, land is very scarce and even in outlying areas it is extremely valuable. Even when there is land available, the need for new acreage far outstrips available funds.

A similar situation is apparent at the State level. Mr. Freeman Holmer, representing the National Governor's Conference at the May 14 hearing on S. 1708, stated that:

> It is no secret that State governments and their political subdivisions are caught in a fiscal crisis of massive and intensifying proportions. Although the States have responded to the invitation of the 1965 Land and Water Conservation Act, it is clear that future action under the act faces stern competition for increasingly scarce State resources. The pressures for support of education, the health and welfare programs, law enforcement, and other programs seem likely to cause many States to forgo for the time being the longer range investments in open spaces that we owe to future generations.

The need to further assist State and local governments in acquiring lands for open space and for parks and recreation purposes was recently studied by the Citizens Advisory Committee on Recreation and Natural Beauty. The Committee, in its June 1968 Annual Report to the President and to the President's Council on Recreation and Natural Beauty, recommended that legislative action be taken to resolve this problem. The report stated on page 29 that:

> We believe that the Federal Government should liberalize its policy toward the disposition of surplus property for park and recreation purposes. The present 50 percent of fair market value is out of keeping with the general Federal policy to give every encouragement to State and local governments to acquire and develop lands for outdoor recreation. Certainly, in terms of public needs, *recreation deserves to be ranked on a par with such purposes as historic preservation, wildlife conservation, and airport development and should enjoy the same discount of real property value as these other purposes.*
>
> We believe that the 50-percent requirement for park and recreation land is, in the long run, shortsighted. In many cases, the sale price of these properties is inconsequential in terms of receipts to the U.S. Treasury; but to local governments, the price, even reduced by one-half, can be too much for their limited budget and the land is forever lost to public use.
>
> The Committee believes it should never be the purpose of the Federal Government to sacrifice long-term public needs for short-term revenues. *The Citizens Advisory Committee recommends that the administration seek legislation to*

permit the disposal of surplus lands at no cost to public bodies for park and recreation purposes.

In some respects the present provisions of Federal surplus property disposal law compel State and local governments to make land use acquisition decisions based upon the price discount available for a particular use. The result has been that acquisition of surplus Federal land for park and recreation uses has been very slow. S. 1708 would go far toward correcting this by placing the acquisition of surplus property for recreation and park purposes on a more comparable basis with the acquisition of surplus property for other important public uses.

As amended, and as reported by the committee, S. 1708 does not grant the acquisition of surplus lands for recreational and park purposes a priority over any other public use set out in the surplus property laws.

The land and water conservation fund, as amended by Public Law 90–401, authorizes the appropriation to the fund until June 30, 1973, of $200 million annually of which the States can receive up to 60 percent providing they match their share of the fund revenues with an equal amount of State funds. Even if revenues were granted to the fund at the authorized level, the appropriations would still only meet a portion of the Nation's growing needs for outdoor recreation. At the present time, however, only a little more than one-half of the present appropriation authority is being used.

It is clear that the national need for recreation facilities far exceeds the present capacity to finance these programs. The Department of the Interior in a report on land price escalation recently estimated the total Federal and State needs under the land and water conservation fund in the next decade at $2.6 billion.

The provisions of S. 1708 provide a means to meet a part of this demand without requiring the appropriation of new funds and without requiring the use of condemnation authority. The concept is a simple one: S. 1708 simply provides a means whereby surplus Federal lands which are suitable for park and recreation purposes may continue to be retained in public ownership for public use and enjoyment.

Cost

Under the provisions of the Land and Water Conservation Fund Act, the proceeds from the sale of surplus Federal real and related personal property are paid into the fund. S. 1708, by authorizing the acquisition of some surplus Federal lands for park and recreation uses at prices lower than those at which such lands may currently be acquired, would result in some reduction in the revenues paid into the fund from this source. It is anticipated, however, that any reduction would be quite small. A recent survey conducted by the General Services Administration covering the fiscal year period 1964 through the first one-half of 1969 revealed that only 5 percent of the appraised value of all surplus Federal property was transferred for park and recreational purposes.

By providing the States and their political subdivisions with an alternative means of acquiring land for park and recreation purposes, S. 1708 will go a long way toward meeting the Nation's demand for

parks and recreation. This will, of course, indirectly reduce the total demand for funds by the States through the existing land and water conservation fund.

At any event, any reduction in revenues to the fund received from this source would be made up from section 2(c)(1) of the fund which authorizes an appropriation to the fund of $200 million per year. Section 2(c)(2) provides that to the extent that $200 million is not appropriated in any year, an amount sufficient to cover the remainder shall be credited to the fund from Outer Continental Shelf leasing revenues and shall remain in the fund until appropriated.

S. 1708 does not require new appropriation authority nor the expenditure of additional funds.

Section-by-Section Analysis

Short title.—Section 1 provides that the act may be cited as the "Federal Lands for Parks and Recreation Act of 1969."

Section 2.—The committee amended section 2 of the bill by deleting all after the enabling clause, and substituting language to adopt, in substance, suggestions made by the Department of Interior and the Bureau of the Budget in their reports submitted on this measure on May 14, 1969.

Section 2 Would amend the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended, by deleting the last sentence of section 2(b) and adding new language. (Effective March 31, 1970, section 2(b) becomes section 2(a) pursuant to the provisions of Public Law 90–401, July 15, 1968.)

Paragraph 1.—This paragraph provides that until June 30, 1973, States and their political subdivisions may acquire surplus Federal real property together with such improvements, equipment, and related personal property that the Secretary of the Interior recommends to the Administrator of the General Services Administration for such acquisition based upon standards set out in the bill.

The standards that the Secretary is to be guided by in making his recommendations relate to:

(a) suitability of the property for park and recreational uses;

(b) accessibility of the property to major population centers;

(c) need for park and recreational facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of the Land and Water Conservation Fund Act; and,

(d) the highest and best use of the property, taking into consideration the need of future generations for parks, open spaces, and recreational opportunities.

The bill provides three methods by which a State or its political subdivision may acquire surplus Federal property for park and recreational purposes:

(1) If the State or its political subdivision originally donated the property to the Federal Government, it may be reacquired at no cost;

(2) Where the State or its political subdivision so elects, surplus property may be acquired at 0–50 percent of fair market value; or,

(3) The property may be acquired at the purchase price which the Federal Government paid for the property.

Under the second option, the determination as to the sale price of the land would be made by the Administrator of the General Services

Administration in accordance with the recommendations of the Secretary of the Interior.

Paragraph 2.—This paragraph provides that deeds conveying property for the purposes set forth in the act shall contain a reverter clause to insure that in the event the properties are not used for the purposes set forth in the act that the property will, at the option of the Secretary of the Interior, revert to the United States. In addition, the paragraph authorizes the Administrator of the General Services Administration to see that the deeds contain such other terms, reservations, restrictions, and conditions as he determines are necessary to safeguard the interests of the United States.

Section 203(k) of the Federal Property and Administrative Services Act authorizes the Secretary of the Interior to insure compliance with deed restrictions and, where necessary, to reform, correct, and amend such instruments. S. 1708 authorizes the Secretary to use this authority with respect to properties transferred under this act.

Paragraph 2 provides that the States and their political subdivisions shall compensate the United States for the administrative costs of surplus property transfers. The administrative costs to which this language would apply includes the costs of title search, preparation of deeds, filing fees, and any special appraisals necessary to the transfer of the properties.

Paragraph 3.—This paragraph directs the Secretary of the Interior to prepare and publish guidelines and regulations for implementing the provisions of S. 1708.

Paragraph 4.—This paragraph contains language stating that with the exception of the provisions of section 2 of S. 1708, nothing in the bill would affect existing laws or regulations concerning the disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions. This provision is identical to the last sentence of section 2(b) of the Land and Water Conservation Fund Act of 1965.

Committee Recommendations

The Interior and Insular Affairs Committee recommends that S. 1708, as amended, be enacted.

Executive Communications

The executive communications from the Department of the Interior dated May 13, 1969, and from the Bureau of the Budget, dated May 13, 1969, are set forth in full as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., May 13, 1969.

Hon. Henry M. Jackson,
Chairman, Committee on
Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Your committee has requested a report on S. 1708, a bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

At present under section 13(h) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1622(h)), surplus real and related personal property of the Federal Government which the Secretary of the Interior deems suitable and desirable for use as a public park or recreation area may be conveyed to States and their political subdivisions on a discount basis of 50 percent of the fair market value of the property. S. 1708 would enable the States and their political subdivisions to acquire surplus Federal property for such uses on a more discounted basis, if not free of cost.

S. 1708 would authorize the States and their political subdivisions, for a period of 5 years from the date of enactment, to make such acquisitions:

1. At no cost where the property was originally donated to the United States by the involved State or its political subdivisions;

2. At the original purchase price where the United States purchased the property;

3. Or, at their option, at a sliding scale of zero to 50 percent of the fair market value of the property, as determined by the Administrator of General Services upon recommendations of the Secretary of the Interior based on suitability, accessibility, need, and alternative use considerations.

We recognize that escalating land values, particularly in urban areas, have often precluded financially pressed State and local governments from obtaining the benefits of the existing 50-percent discount on acquisitions of surplus Federal property suitable for park and recreational uses. We, therefore, are in favor of the objective of S. 1708 of affording State and local governments substantially cheaper—if not free—means of making such acquisitions. Such action should significantly accelerate the development of sorely needed recreation opportunities in urban areas.

We are concerned, however, that two of the three contemplated means of acquisition do not require any determination that the surplus Federal property is actually needed for park or recreational purposes. Accordingly, we recommend that S. 1708 be amended to make the suitability, accessibility, need, and alternative use considerations now applicable only to the sliding scale conveyances applicable to all conveyances under the bill. Additionally, we believe that the consideration of need should be specifically related to the comprehensive statewide outdoor recreation plan required under section 5(d) of the Land and Water Conservation Fund Act of 1965.

We also recommend that, as in the case of surplus Federal property conveyed under section 13(h) of the Surplus Property Act of 1944, as amended, provision be made for reversion of title to the property to the United States in the event a State or political subdivision fails to use it for park or recreation purposes.

We wish to point out that section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(k)), authorizes the Secretary of the Interior, with respect to property transferred under section 13(h) of the act to enforce compliance with deed restrictions and to grant amendatory instruments. Section 203(k) also authorizes the Secretary to grant releases from deed restrictions and to convey any interest reserved to the United States, if he determines that the property so transferred under the

1944 act no longer services the purposes for which it was transferred or the release will not prevent accomplishment of the purpose for which the property was transferred. In our judgment, the Secretary should have the identical authorities for property transferred under the proposed legislation.

The reference to "associations" and "individuals" in paragraph (3) on page 2 does not include "corporations." The term "person" is more appropriate.

While we have no basis for projecting the amounts involved, enactment of S. 1708 would obviously reduce proceeds from surplus property sales that have been the primary revenue source for the land and water conservation fund. In order to maintain the financial stability of the fund, we recommend that S. 1708 be amended to make the period of its applicability concurrent with the availability of the supplemental revenue sources provided for the fund under section 2 of the act of July 15, 1968 (82 Stat. 354, 355).

In order to give effect to the above recommendations, we suggest that line 11, page 1 through line 8, page 3 be revised to read as follows:

"*Provided however*, That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions may acquire until June 30, 1973, from the United States for public park and recreation purposes surplus Federal real and personal property that the Secretary of the Interior has recommended for such acquisition based upon the suitability of the property for park and recreational uses; the accessibility of the property to major population centers; the need for park and recreation facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of this Act; and the highest and best use of the property taking into consideration the need of future generations for parks, open spaces and recreational opportunities. Conveyances of such property for park or recreation purposes shall be in accordance with one of the following methods as determined by the State or political subdivision thereof:

"(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired without the payment of any consideration; or

"(2) Where a State or its political subdivision so elects, the surplus Federal property may be acquired at zero to 50 per centum of the fair market value, as determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior; or

"(3) Where the United States paid valuable consideration for the property to the State, its political subdivisions, or to any person, the State or its political subdivision may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition.

"Deeds conveying any surplus real property disposed of under this authority shall provide that the property shall be used and maintained for the purpose for which it was conveyed, and, in the event that such property ceases to be used or maintained for such purpose, such property shall at the option of the Secretary revert to the United States. The deeds may also contain such additional terms, reservations, restrictions, and conditions as may be determined by the Ad-

ministrator to be necessary to safeguard the interest of the United States. The Secretary of the Interior may exercise all of his existing authorities under section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, as to property transferred under this Act."

It should be pointed out that the third alternative relative to the acquisition of surplus Federal property whereby the State may elect to acquire at the original cost would apply in situations where the United States has acquired the property from private individuals or organizations in addition to acquisitions from a State or local subdivision of the State. We support this approach because it will make available more Federal property for park and recreational purposes.

Lastly, in connection with the authority to acquire suplus property at 0–50 percent of the fair market value, we assume that this would include the value of the improvements. In the cases, however, where the State or subdivision is permitted to acquire the land that was donated by them or land which was sold to the United States, the value of the improvements would not be considered and the State or local subdivision would not have to make any payments for such improvements. In some cases these improvements could, of course, be substantial. We believe, however, that this approach is reasonable in light of the general policy of the bill which is to provide additional park and recreational land.

The Bureau of the Budget has advised that while there is no objection to the presentation of this report, the Bureau and other interested agencies are concerned with certain effects of the bill and are unable to recommend enactment of S. 1708.

Sincerely yours,

RUSSELL E. TRAIN,
Under Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 13, 1969.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request of April 14, 1969, for the views of the Bureau of the Budget on S. 1708, a bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

The bill would give the States and their political subdivisions the right to acquire surplus Federal real and personal property for park and recreational purposes for a period of 5 years, notwithstanding provisions of the Surplus Property Act of 1944, and the Federal Property and Administrative Services Act of 1949, as amended, under the following methods:

(a) Where the State or political subdivision originally donated the property to the Government, the property could be reacquired at no cost.

(b) Where the Federal Government paid for the property, the State or political subdivision could acquire the property, at its election, either at the original purchase price or at a price ranging from zero

to 50 percent of fair market value as determined by the Administrator of General Services in accordance with specified recommendations of the Secretary of the Interior.

The bill's apparent intent, with which we are sympathetic, is to encourage State and local governments to acquire and develop additional land for parks and recreational opportunities.

With respect to the provision which would allow States and their political subdivisions that have donated property to the Federal Government the right to reacquire the property without charge, we generally do not object to such reacquisitions when it can be demonstrated to the Congress that such action is equitable. However, there are a number of other provisions in the bill which, in our view, involve difficulties as to approach and concept.

First, by giving the States the right to acquire surplus real and personal property for park and recreational purposes, S. 1708 appears to establish a priority for such use, regardless of the highest and best use of the property. The highest and best use might be for schools, hospitals, housing, industry to increase opportunity for economic development, or for a number of other purposes. We believe that the principle of highest and best use should be retained in the disposal of surplus real and personal property.

Second, the availability of surplus Federal land in a donation or partial donation program tends to encourage State and local governments not to use sound judgment by acquiring such real property even when it is not the most suitable property for the purpose acquired. Property having an extremely high current market value has occasionally been donated for a purpose which might have been served with less valuable property. Such situations are aggravated when the sale of such property could have increased local tax revenues and helped the economy of the community. To provide a further reduction in the price to be paid for park and recreational conveyances might well tend to encourage local governments to acquire less suitable land in the locality than could be acquired through the use of Land and Water Conservation Fund Act grants.

Third, the provision that conveyances of surplus property to the States and their political subdivisions at the price the Federal Government originally paid for the property would be a departure from a fair value standard. This method of price determination might result in enormous windfalls to some States and political subdivisions while others would be afforded little or no advantage. Some surplus lands were acquired many years ago at what would now be considered nominal cost. More recent land acquisitions would have been at prices more closely reflecting present values.

In addition, under paragraphs (1) and (2) of the proviso in S. 1708, it is not clear how Federal improvements to the property would be disposed of. If it is intended that such improvements would be conveyed with the property originally donated or sold by the State or locality, further windfall could result. Where the State or political subdivision donated the property to the United States, it could reacquire the property at no cost regardless of the value of Federal construction or other improvements. Under paragraph (2), where the United States paid valuable consideration for the property, the State or political subdivision could acquire the property at the original

purchase cost, with no compensation to the United States for valuable Federal improvements on the property.

Fourth, S. 1708 would authorize a departure from the general standard of 50 percent Federal assistance for State and local recreation project costs. At present, a discount equal to 50 percent of fair value is authorized by the Surplus Property Act of 1944, as amended, for Federal surplus property sold to public agencies for park and recreational purposes. In addition, 50 percent Federal assistance for the capital costs of State and local recreation projects is available under the following major Federal programs: (1) the land and water conservation fund State assistance program, (2) the open space land program, (3) the separable recreation costs for small watershed program (Public Law 566), (4) the community action programs authorized by the Economic Opportunity Act of 1964, and (5) the separable recreation costs for Federal water projects built by the Corps of Engineers and the Bureau of Reclamation.

Fifth, the bill does not include a provision to require that the property will revert to the United States if the Secretary of the Interior determines that the property is not being used for the purpose for which it was conveyed.

Sixth, Federal surplus property is not distributed evenly or necessarily located where shortages of park and recreational opportunities exist. While equity might be improved by adjusting the distribution of grant assistance among the States under the land and water conservation fund grant program, such adjustments would be extremely difficult to make and would likely be only partially successful.

In view of these concerns, we are unable to recommend enactment of S. 1708. However, we recognize that the general structure of our system of Federal real property disposal needs improvement because of some inequities in Federal surplus property disposals under various public use authorities. We have worked with the major program and property disposal agencies to perfect the system, and are still interested in improving the disposal program. We would be happy to work with the committee to develop appropriate legislation to achieve that objective.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill S. 1708 as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 2(b) OF THE LAND AND WATER CONSERVATION FUND ACT (78 STAT. 899, EFFECTIVE MAR. 31, 1970, SEC. 2(b) BECOMES SEC. 2(a) PURSUANT TO THE PROVISIONS OF PUBLIC LAW 90-401)

(b) SURPLUS PROPERTY SALES.—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b)-(e), title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76

Stat. 725) or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. [Nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.]

Provided, however, That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions may acquire until June 30, 1973, from the United States for public park and recreation purposes surplus Federal real property together with such improvements, equipment, and related personal property that the Secretary of the Interior has recommended to the Administrator of the General Services Administration for such acquisition based upon the suitability of the property for park and recreational uses; the accessibility of the property to major population centers; the need for park and recreation facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of this Act; and the highest and best use of the property taking into consideration the need of future generations for parks, open spaces, and recreational opportunities. Conveyances of such property for park or recreation purposes shall be in accordance with one of the following methods as determined by the State or political subdivision thereof:

(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired without the payment of any consideration; or

(2) Where a State or its political subdivision so elects, the surplus Federal property may be acquired at zero to 50 per centum of the fair market value, as determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior; or

(3) Where the United States paid valuable consideration for the property to the State, its political subdivisions, or to any person, the State or its political subdivision may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition.

Deeds conveying any surplus real property disposed of under this authority shall be issued by the General Services Administration and shall provide that the property shall be used and maintained for the purpose for which it was conveyed, and, in the event that such property ceases to be used or maintained for such purposes, such property shall at the option of the Secretary revert to the United States. The deeds may also contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interest of the United States. The Secretary of the Interior may exercise all of his existing authorities under section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, as to property transferred under this Act. The States and their political subdivisions shall compensate the United States for the administrative costs of surplus property transfers made pursuant to this Act.

The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing the provisions of this Act.

Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions.

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Calendar No. 216

91st CONGRESS
1st Session

S. 1708

[Report No. 91–227]

IN THE SENATE OF THE UNITED STATES

March 27, 1969

Mr. Jackson (for himself, Mr. Bayh, Mr. Bennett, Mr. Church, Mr. Dodd, Mr. Ervin, Mr. Gravel, Mr. Hansen, Mr. Inouye, Mr. Kennedy, Mr. Magnuson, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Packwood, Mr. Pell, Mr. Ribicoff, Mr. Stevens, Mr. Talmadge, Mr. Yarborough, and Mr. Young of Ohio) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

June 5, 1969

Reported by Mr. Jackson, with an amendment in the nature of a substitute

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That this Act may be cited as the "Federal Lands for Parks~~
4 ~~and Recreation Act of 1969".~~
5 ~~Sec. 2. Section 2(b) of the Land and Water Conserva-~~
6 ~~tion Fund Act of 1965 (78 Stat. 897), as amended (effec-~~
7 ~~tive March 31, 1970, section 2(b) becomes section 2(a)~~
8 ~~pursuant to the provisions of Public Law 90-401, July 15,~~

1968), is further amended by deleting the last sentence and adding the following new paragraphs:

"*Provided, however,* That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions shall have the right, for a period of five years from the date of enactment of this Act, to acquire from the United States surplus Federal real and personal property for park and recreation purposes by the following methods:

"(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired at no cost;

"(2) Where the United States paid valuable consideration for the property to the State, its political subdivisions, an association, or to an individual, the State or its political subdivision may acquire the surplus Federal property at the original cost of purchase; or

"(3) Where a State or its political subdivision so elects, it may acquire surplus Federal property at zero to 50 per centum of the fair market value as determined by the General Services Administration in accordance with the recommendations of the Secretary of the Interior based on the following standards:

~~"(i) the suitability of the property for park and recreational uses;~~

~~"(ii) the accessibility of the property to major population centers;~~

~~"(iii) the need for park and recreational facilities in the immediate geographical area;~~

~~"(iv) the highest and best use of the property taking into consideration the need of future generations for parks, open spaces, and recreational opportunities.~~

~~"The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing these standards in making the price discount determinations set out in this section.~~

~~"Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions.~~" *That this Act may be cited as the "Federal Lands for Parks and Recreation Act of 1969".*

Sec. 2. Section 2(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (effective March 31, 1970, section 2(b) becomes section 2(a) pursuant to the provisions of Public Law 90–401, July 15,

1 *1968), is further amended by deleting the last sentence and*
2 *adding the following new paragraphs:*
3 *"Provided, however, That, notwithstanding the provi-*
4 *sions of the Surplus Property Act of 1944, as amended,*
5 *and the Federal Property and Administrative Services Act*
6 *of 1949, as amended, States and their political subdivisions*
7 *may acquire until June 30, 1973, from the United States*
8 *for public park and recreation purposes surplus Federal real*
9 *property together with such improvements, equipment, and*
10 *related personal property that the Secretary of the Interior*
11 *has recommended to the Administrator of the General Serv-*
12 *ices Administration for such acquisition based upon the suit-*
13 *ability of the property for park and recreational uses; the*
14 *accessibility of the property to major population centers; the*
15 *need for park and recreation facilities in the immediate*
16 *geographical area, as identified in the comprehensive state-*
17 *wide outdoor recreation plan required under section 5(d)*
18 *of this Act; and the highest and best use of the property*
19 *taking into consideration the need of future generations for*
20 *parks, open spaces, and recreational opportunities. Convey-*
21 *ances of such property for park or recreation purposes shall*
22 *be in accordance with one of the following methods as deter-*
23 *mined by the State or political subdivision thereof:*
24 *"(1) Where the State or its political subdivision*
25 *originally donated the property to the United States, the*

1 *surplus Federal property may be reacquired without the*
2 *payment of any consideration; or*
3 *"(2) Where a State or its political subdivision so*
4 *elects, the surplus Federal property may be acquired at*
5 *zero to 50 per centum of the fair market value, as de-*
6 *termined by the Administrator of the General Services*
7 *Administration in accordance with the recommendations*
8 *of the Secretary of the Interior; or*
9 *"(3) Where the United States paid valuable con-*
10 *sideration for the property to the State, its political subdi-*
11 *visions, or to any person, the State or its political subdi-*
12 *vision may acquire the surplus Federal property upon*
13 *the payment of the cost to the United States at the time*
14 *of such acquisition.*
15 *"Deeds conveying any surplus real property disposed*
16 *of under this authority shall be issued by the General*
17 *Services Administration and shall provide that the prop-*
18 *erty shall be used and maintained for the purpose for*
19 *which it was conveyed, and, in the event that such prop-*
20 *erty ceases to be used or maintained for such purposes,*
21 *such property shall at the option of the Secretary revert to*
22 *the United States. The deeds may also contain such addi-*
23 *tional terms, reservations, restrictions, and conditions as*
24 *may be determined by the Administrator to be necessary*
25 *to safeguard the interest of the United States. The Sec-*

1 *retary of the Interior may exercise all of his existing*
2 *authorities under section 203(k) of the Federal Property*
3 *and Administrative Services Act of 1949, as amended,*
4 *as to property transferred under this Act. The State and*
5 *their political subdivisions shall compensate the United*
6 *States for the administrative costs of surplus property*
7 *transfers made pursuant to this Act."*
8 *"The Secretary of the Interior is directed to prepare and*
9 *publish guidelines and regulations for implementing the pro-*
10 *visions of this Act.*
11 *"Except as provided in this section, nothing in this Act*
12 *shall affect existing laws or regulations concerning disposal of*
13 *real or personal surplus Federal property to schools, hospi-*
14 *tals, States, and their political subdivisions."*

Calendar No. 216

91st CONGRESS
1st Session

S. 1708

[Report No. 91–227]

A BILL

To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

By Mr. Jackson, Mr. Bayh, Mr. Bennett, Mr. Church, Mr. Dodd, Mr. Ervin, Mr. Gravel, Mr. Hansen, Mr. Inouye, Mr. Kennedy, Mr. Magnuson, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Packwood, Mr. Pell, Mr. Ribicoff, Mr. Stevens, Mr. Talmadge, Mr. Yarborough, and Mr. Young of Ohio

March 27, 1969

Read twice and referred to the Committee on Interior and Insular Affairs

June 5, 1969

Reported with an amendment in the nature of a substitute

S. 1708

A BILL

June 12, 1969

18. EXPENDITURES; NATIONAL PRIORITIES. Sen. Goldwater inserted his statement before the Joint Congressional Subcommittee on Economy in Government on the question of military budget and national economic priorities. pp. S6283-5

Sen. Javits inserted his speech in which he commended the President's announcement to "wage an agressive campaign against hunger." pp. S6314-6

19. RURAL AMERICA. Sen. Metcalf inserted Sen. Jackson's speech, "Rural and Urban America: A Search for a Policy." pp. S6289-91

20. ECONOMY. Sen. Javits inserted a speech on what labor expects from the economy in the coming decade. pp. S6292-4

21. AGING. Sen. Williams, N. J., inserted a rebuttal by the retirement editor, American Newspaper Alliance to alleged "relative imbalance" in Federal benefits and services for the young and the elderly. pp. S6301-3

22. PESTICIDES. Sen. Nelson inserted an article, "Pesticide Inquiry Set in California." pp. S6306-7

23. RECREATION. Began consideration of S. 1708, to make surplus Federal property available to State and local governments for park and recreational purposes, pp. S6374-9, S6381-5

24. CONSUMER CREDIT. Sen. Brooke inserted a speech by Sen. Bennett, "Credit Bureau Problems and Legislation," in which he explained various sections of the credit information bill. pp. S6345-7

25. EDUCATION. Sen. Byrd, Va., spoke in support of Federal education assistance to impacted areas. pp. S6344-5

Sen. Javits inserted his testimony at the hearings on the extension of the Elementary and Secondary Education Act. pp. S6331-2

26. FORESTRY; MEAT INSPECTION. Sen. Hatfield inserted Oregon Legislature resolutions asking the Congress to make available to the U. S. Forest Service a fixed percentage of the revenue from National Forest lands for investment in intensive forest management practices and roads in order to increase the productivity of the National Forests (pp. S6341-2), asking the Congress to direct the Secretaries of Agriculture and Interior to direct the Forest Service and Bureau of Land Management to establish an annual harvest volume for alder and other hardwood timber on the lands under their jurisdiction, etc. (pp. S6342-4), asking the Secretary of Agriculture to cause to be adopted for forests administered by the Forest Service certain "people-oriented goals" (p. S6342), and asking the Congress to amend the existing Wholesome Poultry and Wholesome Meat Acts to permit the interstate shipment of Oregon inspected meats and poultry which meet federal inspection standards (p. S6342).

27. ADJOURNED until Mon., June 16. p. S6443

JUNE 17, 1969

Sen. Hollings inserted an editorial, "Asian Import Quotas," which states that "South Carolina's economic future...hinges on the outsome of the Nixon administration's efforts to limit textile imports." p. S6318
Received from the Oregon Legislature a resolution supporting proposed legislation to establish a quota-tariff on undressed mink imports. p. S6343

11. CONSERVATION. Sen. Aiken urged increased appropriations for resource conservation and development programs and stated these programs contribute to the economic improvement of rural America. p. S6222

12. FARM TRAINING. Sen. Cranston announced hearings on a bill to modify the requirements for the veterans farm training program June 24, 25, and 26. p. S6269-70

13. TOBACCO. Sen. Magnuson inserted a book review on "Tobacco and Your Health: The Smoking Controversy," by Dr. Harold Diehl, on the research done to date on smoking and health. pp. S6409-10

14. INTEREST RATES; TAXATION. Sen. Sparkman spoke in favor of continuing the tax credit for small business. pp. S6280-2
Sen. Byrd, Va., stated "the effective way to tackle the question of high interest rates, as well as the effective way to tackle the Government's own financial problem---is to reduce Federal spending." p. S6359
Sen. Hartke criticized the interest rate now charged by the big New York banks and stated the U. S. "faces its most severe economic crisis in a generation...directly attributable to the mistakes and miscalculations of the money managers of Wall Street, the Treasury, and the Federal Reserve Board. pp. S6372-3
Sen. Symington expressed concern over the increased interest rate, state the increase will adversely affect all taxpayers but that the heaviest load could well be on the people of agriculture. pp. S6367-8
Sen. Kennedy spoke on the "need" for tax reform and commended the announcement of the formation of the National Committee on Tax Justice. pp. S6368

15. MONOPOLIES. Sen. Nelson criticized the "unnecessary secrecy in Government" particularly referring to reports on antitrust policy ordered by both the Johnson and Nixon administrations. pp. S6351-9

16. RECREATION; WILDLIFE. Sen. Yarborough inserted letters in support of the establishment of the Big Thicket National Park. p. S6348
Sen. Yarborough spoke in support of his bill to prevent the importation of endangered species of fish and wildlife into the U. S. and to prevent the interstate shipment of reptiles, etc., taken contrary to law and inserted a article on the subject. p. S6345

17. HEALTH. Sen. Nelson discussed the health care system and stated he is in the process of drafting legislation to facilitate the establishment of a National Health Corps. pp. S6322-23
Sen. Williams, Del., inserted an "outline of some of the abuses that have been discovered" by HEW "along with the corrective measures taken." pp. S6

Federal Reserve Board should have no trouble understanding the implications of a comment made by an official of the City Stores Co. of New York: "The prime rate increase," he said, "is just one more reason to raise prices." And the Wall Street Journal reports that many other companies have already said that they would pass on their higher borrowing costs in the form of price increases.

But we are told that the policies of the Federal Reserve Board that have helped bring us to this appallingly dangerous pass were designed precisely to fight inflation. We are told by the "fine-tune" addicts that if the Fed and the Treasury can just have enough dials to fiddle with inflation will be halted and prosperity assured. So the Fed fiddles with the rediscount rate and a variety of other monetary devices, and the Treasury's highest officials conjure up the bogeyman of wage and price controls unless the surtax is extended by Congress—and all the while, inflation gallops on and interest rates rise to record highs.

May I ask, Mr. President, whether any of us have had time to forget that one of the big selling points for the surtax last year was the promise of relief from high interest rates? And may I remind the administration that we have now had four—count them, four—increases in the prime rate since then?

Inflation, then, far from being slowed by this new interest rate outrage, will only be fueled by it. It is only a slight exaggeration to say that fighting a cost-push inflation with higher interest rates is like fighting a fire with gasoline.

But more inflation is only one of the disastrous consequences of this week's action by the bankers. The small businessman, unlike his giant competitors, will not be able to escape its worst effects. He will find it that much more difficult to compete for the consumer's shrunken dollars. And so small business failures and bankruptcies will increase sharply, and an ever-greater portion of this once-vital segment of our economy will be absorbed by the giant corporations.

Furthermore, existing distortions in the economy will only be worsened, as industries particularly sensitive to changes in the credit market—the housing industry is only one example—begin to feel the effects of unbearably tight money.

Nor will the working man be exempt from the consequences of this latest monetary folly. We must not forget that millions of jobs are generated by medium- and small-sized firms—firms for whom the credit squeeze demands retrenchment. So the returning veteran and the recent graduate will find fewer jobs. Instead of too much money chasing too few goods, we will have too many people chasing too few jobs. And it goes without saying that increased unemployment will be concentrated among the youth, the elderly, and members of minority groups. In this respect, the rise in interest rates can be said to guarantee the failure of many of the Government's manpower training programs. Indeed, it almost appears to be a program to increase the numbers of hard-core unemployed.

Higher prices; more numerous business failures; increased distortions in the economy; large-scale unemployment. These are the consequences of this week's prime interest rate hike by the New York banks. They are the auguries, as I said at the outset, of the worst economic crisis of a generation.

Who is responsible?

Most immediately, of course, the New York bankers who made this shocking decision. From all we can learn, they acted without the consent—and even against the advice—of the administration. Just last Friday, Mr. Arthur F. Burns, President Nixon's chief adviser on domestic affairs—this is just last week, right before the increase in the interest rates was put into effect—warned:

> A further rise in interest rates would be a serious threat to the continuance of our prosperity . . . there would be a credit crunch followed by a business recession.

Those are the words of the chief economic spokesman on domestic affairs from President Nixon's office in the White House.

And yet, the administration itself is waging an all-out fight to extend the equally inflationary, equally wrong-headed income surtax.

The New York bankers at least have the excuse that the monetary policies of the Nation's central banking authority—the Federal Reserve Board—have so deranged the credit market that they had little choice but to pursue the course of higher interest rates. But the administration's money managers have only their own mistakes, their own discredited theories to appeal to—and now they are asking us to swalow more of the same.

The Federal Reserve Board and the Treasury, instead of abandoning policies that have plainly failed, are persisting in them with an almost fanatical zeal. They seem intent on hammering the American economy into whatever grotesque shape fits their theories. Together they remind me of nothing so much as the physician who, having prescribed a therapeutic dose of arsenic without success, now gives the patient a lethal dose.

That patient, Mr. President, is the American economy—by which I mean the ordinary American consumer, the wage earner, the small businessman. These are the defenseless victims of an inflation generated by war and fueled by the mistakes of the money managers.

The American people are crying out for help. In the last election the President promised that he would do away with the surtax. I for one want to help the President keep that promise, even though he and his advisers are saying that that promise was only election oratory. I suggest that one of the prophets of gloom and doom, William McChesney Martin, should have earlier retirement and that it would be for the benefit of America. He is an expert in alliteration. Perhaps he should take a job as a professor in one of the universities.

All the American people have received from the money managers are empty words about "patience, perseverance, and persistence"—and ever larger doses of the same destructive medicine.

Help must be provided, Mr. President, and it must be provided by us in the Congress. The most direct, immediate steps we must take are, first, to absolutely refuse to extend the surtax, and second, to cut Federal spending drastically in nonessential areas—most especially in military spending which now consumes so unconscionable a portion of our total resources.

Having taken those two essential steps, we can then turn our attention to the basic problem of restoring public control over the money managers. There is no greater danger to a democracy than irresponsible power, whether economic or political. We see today what a condition it has brought us to, and we know that it is intolerable. Our goal now must be to set it right.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk preceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO MAKE CERTAIN TRANSFERS OF APPROPRIATIONS

Mr. RUSSELL. Mr. President, the supplemental appropriation bill was reported to the Senate this morning. It provides funds necessary to meet the payroll obligations of the Senate on June 20.

There is some doubt as to whether that bill can possibly be enacted into law by that date.

On yesterday the Committee on Appropriations requested me to offer a resolution to deal with this question. I, therefore, send the resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 209) to authorize the Secretary of the Senate to make certain transfers of appropriations.

Mr. RUSSELL. Mr. President, the resolution merely permits the Secretary of the Senate to utilize any funds available to him to meet the payroll obligations for June. Of course, it also provides that any funds so utilized shall be replaced when the supplemental appropriations bill is enacted into law.

The PRESIDING OFFICER. Is there any objection to the immediate consideration of the resolution?

There being no objection, the resolution (S. Res. 209) was considered and agreed to as follows:

S. RES. 209

Resolved, That the Secretary of the Senate is authorized and directed—

(1) pending the enactment of the Second Supplemental Appropriation Act, 1969, to make such transfers between appropriations or funds available for disbursement by the Secretary of the Senate as may be necessary to provide for payment of the salaries of

Members, officers, and employees of the Senate for the month of June, 1969; and

(2) upon the enactment of such Act, to reimburse, out of funds made available thereunder for disbursement by the Secretary of the Senate, any appropriation or fund for any amount transferred from such appropriation or fund under paragraph (1).

FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1708.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 216, S. 1708, a bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Lands for Parks and Recreation Act of 1969".

SEC. 2. Section 2(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (effective March 31, 1970, section 2(b) becomes section 2(a) pursuant to the provisions of Public Law 90-401, July 15, 1968), is further amended by deleting the last sentence and adding the following new paragraphs.

"Provided, however, That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions may acquire until June 30, 1973, from the United States for public park and recreation purposes surplus Federal real property together with such improvements, equipment, and related personal property that the Secretary of the Interior has recommended to the Administrator of the General Services Administration for such acquisition based upon the suitability of the property for park and recreational uses; the accessibility of the property to major population centers; the need for park and recreation facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of this Act; and the highest and best use of the property taking into consideration the need of future generations for parks, open spaces, and recreational opportunities. Conveyances of such property for park or recreation purposes shall be in accordance with one of the following methods as determined by the State or political subdivision thereof:

"(1) Where the State or its political subdivision originally donated the property to to the United States, the surplus Federal property may be reacquired without the payment of any consideration; or

"(2) Where a State or its political subdivisions so elects, the surplus Federal property may be acquired at zero to 50 per centum of the fair market value, as determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior; or

"(3) Where the United States paid valuable consideration for the property to the State, its political subdivisions, or to any person, the State or its political subdivison may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition.

"Deeds conveying any surplus real property disposed of under this authority shall be issued by the General Services Administration and shall provide that the property shall be used and maintained for the purpose for which it was conveyed, and, in the event that such property ceases to be used or maintained for such purposes, such property shall at the option of the Secretary revert to the United States. The deeds may also contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interest of the United States. The Secretary of the Interior may exercise all of his existing authorities under section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, as to property transferred under this Act. The State and their political subdivisions shall compensate the United States for the administrative costs of surplus property transfers made pursuant to this Act."

"The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing the provisions of this Act.

"Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions."

Mr. JACKSON. Mr. President, I introduced S. 1708, the Federal Lands for Parks and Recreation Act, earlier in this session of Congress because it is my view that, as a nation, we are not meeting the need of present and future generations of Americans for parks, for open spaces, and for recreational opportunity.

We are not meeting this need because we have failed to appropriate money to set aside enough land for these purposes.

Mr. President, those of us who have the honor to serve in the Congress are the trustees of the land and the environment for those who come after us. Our decisions today will determine the shape of our country's future environment. Our decisions will determine whether our legacy to the future is a quality life in quality surroundings, or whether it is a legacy of social unrest bred in conditions of crowding, congestion, ugliness, and lack of recreational opportunity and natural beauty.

It is my judgment, and it is the unanimous judgment of the members of the Senate Interior and Insular Affairs Committee, that S. 1708, as reported by the committee, can play an important role in insuring that our legacy to future generations is a quality life in a quality environment.

The purpose of this measure is to make surplus Federal property available to State and local governments for park and recreational purposes, at prices which reflect the important role recreation and open spaces play in our contemporary life.

This bill is in accord with and in furtherance of our londstanding national policy as expressed in the Land and Water Conservation Fund Act and other measures designed to encourage State and local governments to acquire and develop lands for parks and outdoor recreation.

This bill is of special importance to many of our major metropolitan areas, where the need for parks and open spaces is greatly increasing, while at the same time the limited land available is being dedicated to other, often incompatible, purposes. If we are to improve the quality of life and surroundings for the residents of our major cities, we will have to take advantage of every future opportunity to acquire land adjacent to where people live for recreational and park purposes.

In spite of our longstanding national policy to encourage and assist State and local governments in the acquisition of open spaces we are not coming close to meeting the need. This failure may be seen in the statements of various groups quoted in the report on S. 1708 and by reviewing the hearing record on the bill.

As a result of the high price of potential park and recreation areas which are located where they are needed most—where the people are—many cities are unable to meet the demand. To cite only one concrete example, a recent report of the League of Cities notes that San Antonio, Tex., a city of 722,000 people has been able to acquire an average of only 6 acres of park land per year between 1945 and 1961. It is estimated that 170 acres should have been added each year if the needs of city residents were to be met. This same picture of inadequate revenues to meet the public need for open space is repeated in city after city, and in State after State.

One way to meet the Nation's critical need for parks and recreation areas is to take advantage of every available opportunity to see that appropriate parcels of surplus Federal property—property owned by all Americans—are dedicated to the highest and best use of the American public. The crowding, the congestion and the growing pressures of modern life make it clear that one of the highest and best uses of land in the last one-third of the 20th century is for parks and open spaces.

It may not be the use that generates the most immediate revenues, but government is not a business for profit. And the success of government is not measured by maximizing the monetary return on investment. It is measured by the calibre and the quality of the life made available to the people which government serves.

S. 1708 would authorize the transfer of lands from one public purpose for which they are no longer needed to another public purpose for which the need is critical.

The utility and reasonableness of such intergovernmental property transfers have already been recognized. Transfers are presently authorized at no cost, or at a 0- to 100-percent discount, to make surplus Federal property available to States and their political subdivisions for use for health and education purposes, for historic sites, for wildlife conservation, and for airports. S. 1708 places needs of people for parks and for open space on a more comparable basis with their need for health and education facilities. It places the needs of our young people for recreational opportunity on a more comparable basis with the public's need for

historic sites, for wildlife conservation, and for airports.

Today there are over 30 million acres of land presently held in fee ownership and used by the Department of Defense alone. Periodically, portions of this property are declared surplus. Many of these surplus military installations are located in or near major metropolitan areas and afford a great opportunity for urban park and recreational complexes. Authorizing disposition of those properties which are suitable for park and recreational purposes would be a concrete demonstration that swords can be hammered into park benches; and that military parade and training grounds can be turned into ballparks for our youth.

Surplus property held by other departments of the Federal Government afford similar opportunities.

The alternative to enactment of S. 1708 is, of course, to continue to deal with surplus Federal property as we have in the past. Of the thousands of acres of surplus property disposed of every year, less than 5 percent by valuation have been dedicated to park and recreational purposes.

Mr. President, I do not believe this is adequate. I do not believe it fits the real needs of our Nation and our people. In fiscal year 1968 only 22 properties totaling a mere 2,740 acres were conveyed to State and local government for park and recreational purposes under the provisions of the present law. That is one-half of a square foot for every man, woman, and child in America.

Twenty years of this type of policy means 10 square feet of park space for every American.

Mr. President, passage of the measure which is before us today will make it possible for the Congress to insure that the States and units of local government in this Nation have a chance—a financially realistic chance—to acquire these lands for park and recreational purposes.

The Federal Lands for Parks and Recreation Act of 1969 would amend the Land and Water Conservation Fund Act by providing that until June 30, 1973, surplus Federal property could be conveyed to State and local government for park and recreational use at less than the 50 percent of fair market value required under present law.

The bill provides three methods by which a State or its political subdivision may acquire surplus Federal property for park and recreational purposes. First, if the State or its political subdivision originally donated the property to the Federal Government, it may be reacquired at no cost. Second, the property may be acquired at the purchase price which the Federal Government paid for the property. Third, the surplus Federal property may be acquired at 0 to 50 percent of fair market value. Decisions as to whether the property should be transferred and, if so, the price discount to be used, are to be determined on the basis of standards relating to suitability, accessibility, need, and the highest and best use of the property.

Under the terms of the bill all deeds transferring property for park and recreational purposes must contain reverter clauses and other provisions to insure that the use and character of the property is not subsequently changed.

One of the most significant features of this measure is that it enlarges the Nation's park and recreational land base without requiring the acquisition of property held in private ownership.

A second major feature of this bill is that it makes these lands available without in any way reducing the revenues available to State and Federal Government from the Land and Water Conservation Fund. As surplus Federal lands are turned over to State and local governments for park and recreational purposes, there would be a minor reduction in revenues paid into the Fund from this source. But this reduction would automatically be made up by section 2(c)(1) of the Land and Water Conservation Fund Act, which authorizes an appropriation to the fund of $200 million per year. Section 2(c)(2) of the act provides that to the extent that $200 million is not appropriated in any year, an amount sufficient to cover the remainder shall be credited to the fund from Outer Continental Shelf leasing revenues, and shall remain in the Fund until appropriated.

Mr. President, as I noted in my statement on March 27 when this measure was introduced, I became aware of the urgent need for legislation on this subject when it became apparent that Fort Lawton—a military installation in the city of Seattle—would soon be declared surplus to Federal needs. The problem Seattle and many other units of local government face is that paying 50 percent of fair market value for property or for portions of property of this nature may be financially impossible. This is especially true when the property is located in or near a major metropolitan area and the land appraisals are based on commercial, industrial, or high density residential development.

The problem posed is national in scope. The Citizens' Advisory Committee on Recreation and Natural Beauty and other groups have recommended that legislative action be taken at an early date. These groups have no axe to grind. They act in the public interest and they reflect the public's sense of national priorities.

The great need in our cities to develop facilities for public recreation is self-evident. The escalating costs of land acquisition often preclude purchase of additional property at market value. Where unique opportunities exist to turn surplus Federal lands to such use, it surely is in the public interest to do so. My bill, as reported to the Senate by the Interior Committee, includes safeguard provisions to insure that the Secretary of the Interior will determine that the properties are suitable for the purposes intended.

While it is indeed regrettable that not every community in America will be able to derive a benefit from the provisions of S. 1708, it is certain that many will be able to do so. I believe that this is adequate reasons to endorse the bill. The Federal Government cannot put a national park, a national recreation area, or a seashore in every State, but this does not furnish an argument against the establishment of these areas.

S. 1708 is an important and necessary adjunct to our Nation's park and recreational program. It is designed to allow property which would otherwise be sold for private and industrial development to be dedicated for public use and enjoyment. We have both an opportunity and a responsibility to see that surplus lands held in Federal ownership are reviewed for their park and recreational potential, and where the lands are suited for these purposes, that State and local government have an opportunity to acquire the property for park and recreational use.

This measure would be of great benefit to our cities and our urban areas. It is no answer to the public's needs for open space to say that the cities should go out on the open market and purchase property for park and recreational use. Property which has park and recreational value is in great demand by real estate developers and by business interests for commercial and industrial purposes. State and local government cannot compete with these groups. And as a result, history shows that they have not acquired the property needed for these purposes.

We already have enough concrete in our cities. What we need is grass, trees, and open spaces. We need a policy to reverse the one-way process of urban sprawl, development and shrinking open areas.

Mr. President, I am in basic and fundamental disagreement with those who propose that the Federal Government should let marketplace economics dictate whether and where our States and cities will have park and recreational facilities. We need only look around any major city to see that the marketplace does not make decisions which are in the public interest. The marketplace makes decisions which maximize private profits. And at the same time, it generates air and water pollution; it gobbles up land with urban sprawl and concrete; and it initiates many other private actions which are often flatly opposed to the public interest.

I am not an economist. I am interested in efficiency in government, however. But government efficiency is not measured in short-term profits. Government efficiency is measured by its success in achieving long-term public goals—goals that benefit present and future generations of Americans, goals that lead to a better America.

Mr. President, of the many issues which come before the Congress, many of them do not present true questions of national priorities. For good or bad, our national priorities are, in large measure, set by the President's power over the purse; by his authority to recommend to the Congress a budget; and by his power to decide whether to spend the moneys appropriated.

S. 1708 is a measure which presents Congress with the rare issue of national purpose and national priorities. Enactment of this measure does not involve new appropriation authority or the ex-

penditures of revenues. It presents a simple question for congressional decision. The question is this: Should Congress seek to maximize short-term profits in the disposition of surplus public lands; or, as proposed in S. 1708, should Congress establish a system of disposition which will enable and encourage State and local government to retain surplus Federal property which is found to be suitable for park and recreational purposes in public ownership for public enjoyment.

I have heard the testimony on this measure. As chairman of the Interior and Insular Affairs Committee, I am intimately familiar with our Nation's critical need for parks, open spaces and recreational opportunity. As ranking member of the Government Operations Committee, so ably presided over by the Senator from Arkansas (Mr. McCLELLAN), I am intimately familiar with the shortcomings of our present surplus property disposal laws in this area.

By any rule of commonsense, by any standard of reasonableness, by any measure of congressional responsibility for leadership in determining national priorities, I would recommend—indeed, I would urge—favorable Senate passage of this needed and deserving legislation.

Mr. President, the problem of acquiring lands for park and recreation purposes has been particularly acute in the urban areas where the need is the greatest. In most cities, acquisition of lands for these purposes has become nearly impossible because of escalating land costs and the critical financial situation of local and metropolitan government. This land acquisition problem can only intensify as our population continues to increase in urban areas. Approximately 130 million people in this country now reside in metropolitan areas. This number is expected to rise to over 250 million, almost double—and equivalent to 85 percent of our total population, by the year 2000.

If we are to improve the quality of life and surroundings for Americans, and particularly those residents of our major cities, we will have to take advantage of every future opportunity to acquire land adjacent to where people live for recreation and park purposes. S. 1708 will go far toward accomplishing this purpose.

Mr. President, I make the point in my statement on S. 1708 that I believe this measure would be of great importance to the residents of our cities and major metropolitan areas. My point is that I believe government has an obligation to insure that there is a wide sharing of life's amenities. But there is another reason why S. 1708 is important.

Psychiatrists and sociologists have long told us that there is a connection between congestion and crowding and social violence. The same point was made in a recent report of the U.S. Commission on Civil Disorders. The Commission determined that the lack of recreational opportunities was a major source of discontent among the inhabitants of urban ghettos. Upon categorization of these problems, the Commission determined that adequate recreational opportunities ranked fifth in level of importance among the people themselves, in fact, it was considered more important than the inequitable administration of justice or the ineffectiveness of local political mechanisms.

Yet, how much of the Federal recreation dollar has really gone into Harlem or Watts or similar areas in our major metropolises; and, for that matter, does the Federal Government have the programs and the authority to deal effectively with the problem?

S. 1708 provides a means to deal with this problem.

Mr. President, I hope that the Senate will act expeditiously and favorably on this important measure.

Mr. McCLELLAN. Mr. President, the pending measure is one of which the subject matter the Committee on Government Operations might well have had jurisdiction. When the bill was introduced, some question arose about whether it should be processed by the Committee on Interior and Insular Affairs or by the Committee on Government Operations.

The distinguished author of the bill is the ranking member on the Committee on Government Operations. After some discussion about the jurisdiction and the merits of the bill, we had an exchange of correspondence.

Mr. President, I ask unanimous consent that a letter from the Senator from Washington to me of May 6, 1969, my reply thereto of May 9, 1969, and a letter from the Senator from Washington to me of June 10, 1969, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., May 6, 1969.

Hon. JOHN L. McCLELLAN,
U.S. Senate,
Washington, D.C.

DEAR JOHN: You will recall that we discussed my bill, S. 1708, the "Federal Lands for Parks and Recreation Act of 1969" after the Government Operations Committee's executive session last Thursday. This measure would provide for a limited five-year exemption from the present provisions of the Surplus Property law for the transfer of surplus Federal real property for park and recreational purposes.

Because this measure is a matter of jurisdictional concern to both the Government Operations Committee and to the Interior and Insular Affairs Committee, I want to notify you that I have scheduled hearings on S. 1708 for May 14 at 10:00 a.m. in Room 3110. The Interior Committee would, of course, welcome any statement you or other members of the Government Operations Committee might care to make.

Enclosed for your use and information is a copy of S. 1708 and my introductory statement on introducing the measure.

With best regards.

Sincerely yours,

HENRY M. JACKSON,
Chairman.

U.S. SENATE, COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., May 9, 1969.

Hon. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Thank you for your letter of May 6, with enclosure, advising that hearings will be held on S. 1708, the Federal Lands for Parks and Recreation Act of 1969, on Wednesday, May 14.

As indicated, the provisions of S. 1708, would appear to be within the jurisdiction of both the Government Operations and the Interior Committees. More importantly, however, is the desirability of making surplus Federal property more readily available to States and local governments. I have long supported efforts to facilitate the return of surplus property to productive use. Certainly, in this day and age, the use of such property for park and recreational purposes is becoming increasingly important and in this connection I support the general objectives of your bill.

To insure that the property is used for the purposes intended for a specified period of time, however, I wonder if any thought has been given to including a reverter clause in S. 1708. There is also the question of whether S. 1708 is intended to establish any priority over existing methods of disposal, and whether the inclusion of the term "personal property" would in any way infringe upon or be in competition with current disposal procedures in that category. Finally, it would appear appropriate to have the ultimate authority over the disposition of surplus property remain vested in the General Services Administration. In this regard is the role of the Secretary of Interior under the terms of S. 1708, to be merely recommendatory or final?

Copies of our correspondence on this matter are being made available to the members of the Committee on Government Operations so that they might have an opportunity to express their views on this legislation.

With kindest personal regards, I am

Sincerely yours,

JOHN L. McCLELLAN,
Chairman.

U.S. SENATE, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., June 10, 1969

Hon. JOHN L. McCLELLAN,
Chairman, Senate Government Operations Committee, Washington, D.C.

DEAR JOHN: Thank you for your letter of May 9 and your helpful suggestions on S. 1708, the Federal Lands for Parks and Recreation Act of 1969. I appreciate your support of the objectives of this bill. I delayed replying until the Committee reported the measure. I am including a copy of the Committee's report and the bill for your use and information.

As you know, the Interior Committee held a public hearing last month on S. 1708, at which time the Bureau of the Budget and the Department of the Interior recommended amendments to the bill. As a result of the hearing and your letter, a reverter clause has now been added to insure that in the event that properties are not used for the purposes set forth in the Act, they would revert to the Federal government. Language was also inserted to clarify the transfer of "personal property," and to make this transfer conform to section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended. This would eliminate any infringement upon, or competition with, current disposal procedures.

As amended, S. 1708 does not affect existing laws or regulations concerning the disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions. In addition, before lands can be acquired for park and recreation purposes, they must be included in a statewide comprehensive outdoor recreation plan, and be recommended by the Secretary of the Interior to the Administrator of General Services. These measures eliminate the concern that S. 1708 would establish any priority over exist-

ing methods of property disposal. Language to this effect has been included in the Committee report on S. 1708.

The ultimate authority to transfer surplus Federal property for park and recreation purposes remains with the General Services Administration and, under the terms of the bill, the Secretary of the Interior's role is recommendatory.

I appreciate your interest in this measure, and I hope you will give it your support on Thursday, June 12, when a Senate vote is expected.

With best regards.

Sincerely yours,

HENRY M. JACKSON,
Chairman.

Mr. McCLELLAN. Mr. President, I should like to ask the distinguished Senator from Washington a few questions pertaining to the merits of the bill and what its effect will be.

The Senator will recall that in my letter of May 9 I stated:

To insure that the property is used for the purposes intended for a specified period of time, however, I wonder if any thought has been given to including a reverter clause in S. 1708. There is also the question of whether S. 1708 is intended to establish any priority over existing methods of disposal, and whether the inclusion of the term "personal property" would in any way infringe upon or be in competition with current disposal procedures in that category. Finally, it would appear appropriate to have the ultimate authority over the disposition of surplus property remain vested in the General Services Administration. In this regard is the role of the Secretary of Interior under the terms of S. 1708, to be merely recommendatory or final?

I understand that possibly some, if not all, of these recommendations or suggestions were adopted in the bill. I should like to have the distinguished Senator, the author of the bill, respond to that paragraph in my letter of May 9 with respect to the questions raised and advise what action was taken by the committee with relation thereto with respect to the bill.

Mr. JACKSON. Mr. President, I will respond by saying that all of the questions raised by the able Senator from Arkansas have been answered in the affirmative by the committee. And we have taken legislative action in the committee to carry out the points that the Senator had made and very properly recommended.

First, the reverter clause, was adopted. That will be found on page 5 of the bill, section 3, commencing on line 15.

With reference to the parity question, in my letter of June 10, which has been printed in the RECORD, we made it clear that:

As amended, S. 1708 does not affect existing laws or regulations concerning the disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions. In addition, before lands can be acquired for park and recreation purposes, they must be included in a statewide comprehensive outdoor recreation plan, and be recommended by the Secretary of the Interior to the Administrator of General Services. These measures eliminate the concern that S. 1708 would establish any priority over existing methods of property disposal. Language to this effect has been included in the Committee report on S. 1708.

On the last point, whether the Secretary of Interior's role is recommendatory or final, the answer is that it is advisory, and the final decision, as in the case of all other surplus property disposition, is made by the General Services Administration.

There is no change in any provisions of the basic law except to include, of course, the use of lands for parks and recreation purposes on a basis similar to that for health and educational purposes.

Mr. McCLELLAN. Mr. President, with these provisions in the bill and with this assurance from the distinguished Senator from Washington, I have no opposition to the measure. I am not opposed at all. In fact, I think there are some purposes in the bill that are quite worthy and I wholeheartedly support them.

The first point is that we need more parks. We need more recreation centers. And if the Federal Government is going to make a contribution of some of its resources for any purpose to a State or municipality, this is one of the urgent needs of our time today, to provide these extra facilities and recreational opportunities, to provide additional park space. I support that.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. JACKSON. Mr. President, I think the Senator has made a very important point. Many Senators are not currently aware of the existing law on the disposition of surplus Federal property.

The Senator from Arkansas is an expert in this field. I think it might be well to mention that for historic monuments, public airports, and wildlife conservation —for those three categories—Federal lands are available locally without any payment. In other words, what we are saying here—and it is important—is that to conserve wildlife, the States and the political subdivisions of the States, can acquire land without cost. However, if we want to do something to provide open spaces, for some of the wild youngsters in the cities, we are not permitted to transfer property without charging for that property.

I might also mention that this bill places the park and recreation standard on the same basis as health and education purposes. We are not asking that it be totally free. In the case of health and education purposes, surplus land is sold at a discount ranging from 0 to 100 percent; and in the vast majority of cases it is conveyed at no cost. The purpose of S. 1708 is to place the sale of surplus Federal land on a more comparable basis with other important uses such as public health and education.

I think it is good at this point to summarize the existing law and what we are trying to do in relation to this specific problem.

Mr. McCLELLAN. I thank the distinguished Senator. That is the way I understand the bill.

Another thing that impresses me about this bill is that, in the first instance, if a city or a State has donated the property to the Federal Government—in other words, if the Federal Government originally acquired the property from the municipality or from the State—then, when the Federal Government's use for the property has ceased to exist, there should be some way for that municipality or that State to have a prior claim on the property. When the Federal Government no longer has any need for the property, it should return the property. That would be the effect of it. When a price was paid for the property, I think the municipality or the State should be given a preference in getting the property back at the same price they received for it in the original transaction.

Mr. President (Mr. EAGLETON in the chair), these are the things that appeal to me, particularly now, with the reinforcement of the reverter clause. If surplus property is made available to a municipality or a State for park and recreational purposes, it has to be used for that purpose; and when they cease to use it for that purpose, it reverts to the Government. So, overall, I do not see that the Federal Government is suffering any serious loss. It is going to make contributions for these purposes out of the Federal fund, as it is doing now in many instances; it is going to make some contribution to these programs, anyway; and wherever it can, it should do so with surplus property it does not need, with the assurance that it will be used for that purpose, and when it ceases to be used for that purpose, it reverts to the Government. I think it is sound, and I think it cannot be charged as a giveaway of Federal assets.

We are spending a great deal of money to create recreational opportunities through the summer for the youth of our country and to help municipalities build parks and recreation facilities, and I see nothing wrong with this method of doing it.

I did not want the respective Government Operation Committees which have legislative jurisdiction over surplus property deprived of the right and the duty they now have in cases involving property of $1,000 in value, and not to be deprived of an opportunity to examine the proposed transaction before it is consummated.

With these assurances and with my interpretation of the bill as written, I am very glad to support it.

Mr. JACKSON. I thank the able Senator from Arkansas.

I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, perhaps this question already has been answered, but I want to be sure that we understand correctly the reversionary clause.

As I understand it, where a State or political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired without payment of any consideration. Just take that one instance. Would that property carry the same reversionary clause if it were never used for public purposes or if it ceased to be used later?

Mr. JACKSON. The answer is "Yes."

Mr. WILLIAMS of Delaware. The same with respect to section 2: Where a State or political subdivision so elects, the surplus property may be acquired at zero to 50 percent of the fair market

value as determined by the Administrator, and so forth. The answer is that case, likewise, would be that all deeds would carry this reversionary clause, which would automatically be in effect if the State ceased to use it for parklands or for recreational purposes.

Mr. JACKSON. The Senator is correct.

I would assume, too, that the State or the political subdivision thereof would forfeit whatever money, from zero to 50 percent, may have been paid, because it would have been in violation of the deed of conveyance.

Mr. WILLIAMS of Delaware. That is second point. Suppose in this interval the State has spent more money in building facilities and then decided not to use it for recreational purposes. Would the Government be obligated to reimburse the State for its expenditures, or would the State automatically lose it when the title reverted to the Government?

Mr. JACKSON. I would assume, as a matter of law, that any improvements on the real estate, put on there by the State or political subdivision thereof, would become apart of the land, and it would be a part of the realty. It would revert, unless they wanted to remove it, and then it would become a lawsuit. When you put permanent improvements on land, they become a part of the real estate.

Mr. WILLIAMS of Delaware. That was my understanding, but I wanted to make sure of it.

The third section reads:

> Where the United States paid valuable consideration for the property to the State, its political subdivisions, or to any person, the State or its political subdivision may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition.

Do I correctly understand that this refers to an instance in which the Federal Government obtained the property from an individual but that, under this bill, the individual will not have any right to reacquire this property; that only the State or a political subdivision thereof will have that right, and then they only acquire it for public recreational purposes with the same reversionary clause to which we referred?

Mr. JACKSON. The Senator is correct in his understanding. No individual would be able to acquire it.

Mr. WILLIAMS of Delaware. No individual would be able to acquire the property under this bill. As I understand it if the property is acquired by the State or a political subdivision of the State, they in turn could not under any circumstances pass it on to any individual for any purposes whatever. It would have to revert automatically to the Federal Government.

Mr. JACKSON. The Senator is correct. That would be a violation of the reverter clause, and it would be an improper use, in violation of the conveyance.

Mr. WILLIAMS of Delaware. I thank the Senator for his answers.

I have just one further question. On line 21, page 5, in referring to this reversionary clause, it says that such property shall "at the option of the Secretary revert to the United States." Does that means that the Secretary would have a choice in making a decision? If the State or a political subdivision thereof decided not to use this land for parks and recreation, would it automatically revert to the Government, or could the Secretary exercise an option and say, "We are not going to take it back"? What would happen then?

Mr. JACKSON. The point is that there needs to be a finding. As I envision the administration of this act, the Secretary is to determine whether or not there has been a violation of the provisions of the conveyance; and the Secretary would be bound to make that finding. For example, there might be an allegation that the land is no longer being used for park and recreation purposes. Obviously, that mere allegation would not cause the title to revert.

This provision is there so that there will be a legal means to determine whether there has been a reversion. As I interpret this, the Secretary is bound—he cannot be compelled—under the provisions of this bill to cause the land to revert. I would assume that, in order to clear the title unless the party in violation was willing to give a quitclam deed, it would be necessary for the Secretary of Interior, through the Department of Justice, to institute action to cause the title to the property to revert to the Federal Government.

Mr. WILLIAMS of Delaware. That is the question I had in mind. I wanted to make sure that once we transfer this property to the State or political subdivision they must use it for recreation and park purposes; and if they do not, under no conditions could the land be transferred to private industry or private individuals, but it must revert back to the Federal Government, and it would. That is the point I wanted to make clear.

Mr. JACKSON. The Senator is correct. We tried to be completely unequivocal on this point. The sole purpose for making the land available is for park and recreation use. If the State or any political subdivision thereof fails to carry out that provision of the law, the title reverts through proper legal proceedings as provided in the Act.

Mr. WILLIAMS of Delaware. And there would be no way around it.

Mr. JACKSON. There would be no way around it directly or indirectly. As the Senator knows, the Department of Interior must bear the responsibility of seeing to it that the provisions of the conveyance are carried out, and whenever there has been a violation of the provisions of the deed or the conveyance, then, as I interpret this legislation, it is incumbent upon the Secretary of Interior to take appropriate means to make sure that title reverts back to the Federal Government.

Mr. WILLIAMS of Delaware. I thank the Senator. That was my interpretation upon reading the bill and the committee report, but to make sure of that understanding I thought I would ask these questions and have it established here beyond any doubt as to our intent.

I thank the Senator.

Mr. JACKSON. Mr. President, as the chairman of the committee, I wish to say this is now a part of the legislative history we have made here. I think the language is clear in the bill, but these questions have certainly made it sufficiently clear. There can be no real question about it.

I thank the Senator.

Mr. HANSEN. Mr. President, I support S. 1708, the Federal Lands for Parks and Recreation Act of 1969. This legislation will make surplus Federal property which is suitable for park and recreation purposes more readily available to State and local governments.

Wyoming is a State which is recreation oriented. We have worked hard to insure that recreational facilities are available for the enjoyment of citizens in Wyoming and of other States. In fact, the cities and counties in Wyoming have acquired more land per capita for park and recreational purposes than the cities and counties of any other State. We are proud of our record.

While I was Governor of Wyoming, the land and water conservation commission was created and a comprehensive recreational plan for the State of Wyoming was developed. However, the Land and Water Conservation Fund Act does not always meet the need.

Often, the States, counties, and cities are hard pressed to raise 50 percent of the fair market value of the property as is required under present law. If the funds can be found and the property is purchased, the State and its subdivisions then find it difficult to make additional funds available for the necessary improvement and development of the park or recreational facility.

We all recognize the need for more land for recreational purposes. The proposed legislation being considered today is an effective means of insuring that surplus lands now held by the Government will be available for parks and recreational use if it is suitable for that purpose. Presently, if the State and local governments are not able to come up with the money to pay 50 percent of the fair market value of the surplus Federal property, the property is sold for other uses and the opportunity to devote the property to recreation is lost forever.

At a time when the Nation is undergoing social crises, the Federal Government should make suitable property already in public ownership available for park and recreational purposes. It should not be sold and devoted to other and possibly conflicting uses.

Making Federal money available is not always the best solution to a problem. Children can not play on money. This legislation would make land available.

Federal surplus property is oftentimes particularly well suited for recreational purposes. Its location in or adjacent to centers of population means that it is available where recreational needs are the greatest. In addition, surplus Federal property becomes available in all parts of the country. This means that the people in all of the States have an opportunity to benefit from this legislation. Federal assistance for capital costs of State and local recreation projects will continue to be available to all States under several major programs, including the land and water conservation fund State assistance program, the open space land program, and the community ac-

tion programs authorized by the Economic Opportunity Act of 1964.

Under present law, surplus Federal land may be acquired at discount prices varying from no cost to 50 percent of fair market value, for the purpose of historic monuments, public airports, wildlife conservation, and health or education. Certainly recent events in the urban areas of our Nation indicate that it is as important for the Federal Government to also make Federal surplus property available for park and recreational purposes under these same terms.

The need is great. I urge support for the Federal Lands for Parks and Recreation Act of 1969.

Mr. STEVENS. Mr. President, I wish to make a very brief statement today, in support of S. 1708, the Federal Lands for Parks and Recreation Act of 1969.

This legislation is potentially valuable for all the States. Alaska, in particular, because of the large amount of Federal land within the State, will benefit from the provisions of the bill. Too often, Federal land of recreational potential has been sold without consideration of its park or recreational value. This is partciularly true of Federal lands in the vicinity of large metropolitan centers where the need for such recreational facilitis are the greatest.

The provisions of this act provide an extremely inexpensive and simple method for the Federal Government to aid in the development of recreational areas within the States. I do not think such an opportunity should be passed up, and I hope that S. 1708 will be affirmatively acted upon by this body.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION—A PROPOSAL TO REFORM THE CONTINGENT ELECTION PROCESS

Mr. YARBOROUGH. Mr. President, I wish again to direct the attention of the Senate to my proposal to amend the Constitution relative to the election of a President in the House of Representatives. My proposed constitutional amendment relates to only those cases where the election of a President of the United States is thrown into the House of Representatives by failure to obtain a majority of votes in the electoral college, or for any other reason.

The Constitution presently provides that if no candidate for the Presidency gets a majority of the electoral vote, then the House of Representatives shall choose the President and the Senate, the Vice President.

This fact was most vividy brought to the attention of the American people during the 1968 presidential election campaign. During the fall, it was frequently brought to the attention of the public that a deadlock and a serious constitutional crisis could develop if the election were thrown into the House of Representatives, because the election there would be by States, there being only 50 votes in the House, one for each State.

It is this fact which prompted me to draft the amendment I propose in Senate Joint Resolution 18. I think that the potential for crisis is no less serious today than it was last fall. It is not as imminent; it is just as serious. I think that the need to adopt this amendment still exists. We need to have it before the 1972 election.

In order to refresh all our minds about the potential seriousness of this problem, I direct the attention of my colleagues to an article entitled "Chance of Electoral Impasse Spurs House Fights," which appeared in the New York Times on Sunday, October 20, 1968. I ask unanimous consent that the text of this article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHANCE OF ELECTORAL IMPASSE SPURS HOUSE FIGHTS

(By Felix Belair, Jr.)

WASHINGTON, October 19—An outside chance that the House of Representatives might be called upon to elect the next President has produced a struggle for partisan control of that body without parallel in recent political history.

Both major parties are spending as much time, effort and money to win a working majority in the House as they are to win the Presidency. No one in the Democratic or Republican high command thinks it likely that Congress will have to break a deadlock in the Electoral College. But the possibility is no less real on that account.

It has happened twice before in the nation's history, in 1801 and in 1825, and under the present electorial system established by the 12th Amendment to the Constitution the danger of a recurrence is always present whenever there is a strong third candidate for the Presidency, a candidate like George C. Wallace of Alabama.

If Mr. Wallace can siphon enough popular votes away from either Richard M. Nixon or Hubert H. Humphrey to prevent one of them from getting a 270-vote majority in the Electoral College, then the election must be decided in the House.

NO SECOND CHANCE

The 538 members of the Electoral College get no second chance. They may not reconsider their vote. Each state has as many electors as it has members of the Senate and House and there are three for the District of Columbia, which has no representation in Congress. If they do not give 270 votes to any candidate, a House election of the President is automatic and the Senate elects a Vice President.

The focus of the partisan struggle for control of the House is on 10 pivotal seats that could give either the Democrats or Republicans a majority in the 26 state delegations needed to decide a Presidential election in that body.

No matter which candidate received the largest share of the popular vote, once the election was thrown into the House a number of mathematical possibilities could tip the scales one way or another.

One extreme possibility is that 76 members of the House from 26 states with a population of 32 million could outvote the other 359 members from 24 states with a combined population of 150 million. The reason is that each state gets one vote and who gets it is determined by a poll of the members from each state.

Another extreme possibility is that the House would be deadlocked—25 to 25—up to Inauguration Day on Jan. 20 and that Edmund S. Muskie would take over the White House as Acting President following his election as Vice President by a Senate in which Democrats still held a majority.

A COMPRISE CANDIDATE

It is even conceivable that a deadlocked House would settle on a comprise candidate like Governor Rockefeller. But for that to occur it would be necessary for enough electors to disregard their pledges in the Electoral College for the New Yorker to receive the third largest number of votes in that body.

The number of eligible Presidential candidates in a House election is limited to three under the 12th Amendment. Prior to 1804, the choice could be from five candidates.

Ordinarily, to prevent one of the major party candidates from winning an absolute majority of the electoral vote, two conditions must prevail. There must be a close contest between the Republican and Democratic candidates and there must be at least one minor party candidate capable of winning electoral votes in several states.

The coincidence of the two conditions has been rare. But there have been two recent elections in which a relatively small shift of popular votes would have caused an electoral stalemate.

One was in 1960, when John F. Kennedy received 34,220,984 popular votes and 303 electoral votes and Richard M. Nixon received 34,108,157 popular votes and 219 electoral votes. Unpledged electors from Mississippi and Alabama cast 14 votes for Virginia's Democratic Senator Harry Byrd, who also received the vote of one renegade elector from Oklahoma.

A shift of only 8,971 popular votes from Mr. Kennedy to Mr. Nixon in Illinois and Missouri would have prevented either candidate from getting an Electoral College majority.

A similar situation developed in 1948 when Harry S. Truman, running for re-election, received 24,179,345 popular votes and 303 electoral votes and the Republican candidate, Thomas E. Dewey, received 21,991,291 popular votes and 189 electoral votes.

Strom Thurmond, the states' rights, or Dixecrat, candidate, recived 1,176,125 popular votes and 39 electoral votes. Henry A. Wallace, the Progressive candidate, received 1,157,326 popular votes and no electoral votes.

12,487 VOTES THE KEY

A switch of 12,487 popular votes from Mr. Truman to Mr. Dewey in California and Ohio would have denied an electoral majority to either candidate and the election would have gone to the House.

The reasons for these vagaries in translating popular into electoral votes is that each state's electoral votes are awarded on a "winner-take-all" basis. The elector slate receiving one more popular vote than any other slate wins that state's entire bloc of electoral votes.

That is how Mr. Kennedy was able in 1960 to get all of Illinois's 27 electoral votes with a popular plurality of 8,858, while Mr. Nixon's popular margin of 273,363 in Ohio won him only 25 electoral votes. It also explains why Mr. Kennedy got only 50.08 per cent of the popular vote but 62 per cent of the electoral vote.

But the Constitution discards this plurality system when it comes to voting by the Electoral College. It requires a majority of

one more than half the votes involved. In 1968 that means one half of 538 plus one vote, or 270.

The Constitution left it to the states to determine the method of choosing their electoral slates. Some do it by party convention, some by primaries and some by designation of the state committee of the party. It was left for the Congress to decide when the Electoral College should meet and ballot for President, the single condition being that all electors meet on the same day in the various state capitals.

TIME SET BY CONGRESS

Congress fixed the time of this meeting for the first Monday after the second Wednesday in December, or, in 1968, Dec. 16. The date of Election Day, Nov. 5, is also fixed by Congress, as is the day for counting the certified ballots of the electors, Jan. 6, at a joint session of the Senate and House.

The results of each of these steps, including the possibility of a deadlock in the Electoral College, will have been public knowledge from the night of Nov. 5 or the following morning. But the net effect of the present arrangements of dates is to provide 40 days between the election and the meeting of the electors and three more weeks before their ballots are counted in the House.

It is in the initial period that Mr. Wallace, in the event of an electoral deadlock, might make an arrangement with one of the major party candidates for certain concessions in return for enough of his electoral votes to provide a majority. He has said he would pursue this course rather than allow the contest to be settled in the House by men unknown to him.

Both Mr. Nixon and Mr. Humphrey have stated publicly that under no circumstances would they enter into negotiations with Mr. Wallace or his adherents for their support either in the Electoral College or the House of Representatives. What their adherents might do on their own initiative is only conjectural.

DEGREES OF FIRMNESS

The essential point is that a candidate's electors are pledged to vote for him with varying degrees of firmness. Only 16 states require by law that electors votes for the candidate of their party. With the possible exception of Tennessee and Virginia, none of these is expected to end up with electors for Mr. Wallace.

Three such states—Florida, Oklahoma and New Mexico—make it a misdemeanor for an elector to violate his pledge. And even in those states an elector's vote could not be thrown out if he jumped the fence. The only consequences would be a fine—in Oklahoma, $1,000.

Moreover, most legal authorities are of the opinion that laws binding electors to vote for the candidate of their party are not enforcible. The Constitution provides that they must vote by ballot, a procedure that at least implies that they are free agents.

FEAR OF OSTRACISM

Fear of political ostracism rather than any legal force appears to have been the chief inhibition to electors' breaking their pledge. Only four elector votes of the 15,245 cast since 1820 were definitely "against instructions."

One of the constitutional peculiarities of the Electoral College is that there is no provision for a second ballot in the event that no candidate receives the majority vote required. It gets no second chance. The separate ballots for President and Vice President must be certified and forwarded to the President of the Senate—Hubert Humphrey in this case—as the official designated to act for the United States Government.

The Constitution directs that these ballots be counted in the presence of members of the Senate and House in joint session. And if no candidate for President and Vice President has received a majority, the 12th Amendment says, "the House of Representatives shall choose immediately, by ballot, the President."

The amendment further provides that "in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice."

The same amendment directs that if a President has not been chosen in the House by Inauguration Day—Jan. 20—"the Vice President shall act as in the case of the death or other constitutional disability of the President."

LAW OF SUCCESSION

If a Vice President has not been elected by the Senate, which takes over that function as the House votes on a President, or if he is unable to discharge the duties of that office, the law of Presidential succession applies, beginning with the Speaker of the House.

However, once it became the responsibilty of the Senate to elect a Vice President, the selection of a Democrat—Edmund S. Muskie—would at this time become almost a mathematical certainty, whatever the outcome of the House balloting.

Unlike the House, where the voting is by state delegations, Senate members would vote as individuals, as they always do, since there must always be two Senators from each state.

The partisan division of that body is now 63 Democrats and 37 Republicans. With only one-third of its members standing for reelection this year, not even the most optimistic Republicans actually believe that they can upset the present Democratic majority.

It is generally assumed that if the Presidential election goes to the House, the procedure there would be governed by the rules laid down in 1825. But since no session of the House can bind its successor there is no certainty of this.

Actually, new rules of procedure would have to be drawn up by agreement of the leadership on either side of the aisle and adopted by the House before the voting began. Probably they would be patterned after those of 1825 and designed to be fair to both sides.

PRESENCE OF A QUORUM

Following adoption of the rules, the first step would be to determine the presence of a quorum for the purpose, or two-thirds of the state delegations. Eligible candidates would be limited to the three receiving the largest number of electoral votes.

If no candidate received votes of the necessary 26 delegations, the balloting would continue until one was chosen, each delegation having one vote. No other business could be introduced until the election was completed but the House might adjourn from one day to another if a stalemate developed. A motion to adjourn might be offered by any state and seconded by another and the question settled by a vote of the states.

Each state delegation sitting as a group, under the rules of 1825, would be supplied with a ballot box into which each member would place a ballot describing his vote. Tellers could be appointed to count the vote within the delegation. When the delegation's vote was determined, duplicates of the result would be placed in two separate boxes provided by the sergeant at arms.

The contents of the two boxes would then be counted at separate tables and they would have to agree to be considered official. The intent of this double balloting system was to preserve the secrecy implicit in the constitutional rule of voting by ballot instead of by voice to prevent fraud or chicanery.

This secrecy applied under the 1825 rules both as to how each member voted and to how the majority of members voted. Whether it would satisfy the requirements of a modern democracy in electing a President is something the House would have to decide for itself.

The first time the House elected a President was in 1801. At the time, the Presidency went to the candidate receiving the largest number of votes in the Electoral College. The Democrats of those days called themselves Republicans and wanted to elect Thomas Jefferson as President and Aaron Burr as Vice President.

But the electors forgot to cast one vote fewer for Burr than for Jefferson and gave both the same number, throwing the election into the House. On the first ballot, Jefferson received the votes of eight states—one short of a majority of the then 16 states. Burr was backed by six states. The Vermont and Maryland delegations were equally divided, so they lost their votes.

The House was deadlocked for 35 ballots, from Feb. 11 to 17. The impasse was broken on the 36th ballot when Vermont and Maryland switched to Jefferson. Delaware and South Carolina also withdrew their support from Burr by casting blank ballots. The final vote was 10 states for Jefferson and 4 for Burr.

The resulting election of Burr, a despised political enemy of Jefferson, as Jefferson's Vice President, paved the way for a major change in the Congressional election system that provided for Senate election of a Vice President.

The only constitutional requirement governing a deadlocked Presidential election in the House is that if no candidate has been elected by Jan. 20, "then the Vice President shall act as President." Conceivably then, Sen. Muskie as the Senate's choice for Vice President could continue in the White House until the election of a new House of Representatives two years later.

DEMOCRATS IN CONTROL

Right now the Democrats have control of the House, 245 to 187, and there are three vacancies. Democrats have a majority in 28 state delegations, Republicans in 18 and four delegations are evenly divided. But it is the House to be elected on Nov. 5 that would elect the next President if his selection fell to that body.

The shift of only a few seats could swing the balance of power in the House to one party or the other for Presidential purposes.

To begin with, if the five states of the Deep South that gave their electoral votes to Barry Goldwater in 1964 gave them this time to Mr. Wallace, the Democratic delegations favoring their party's Presidential candidate could be reduced to 23.

Four of those states are currently considered safe for Mr. Wallace—Georgia, Louisiana, Mississippi and South Carolina. Candidates there have not said they would vote against Mr. Humphrey in a House contest, but they would be under strong pressure from Mr. Wallace to do so.

There are now 10 House delegations that are evenly divided or Republican controlled where the shift of a single seat would give the Democrats a majority of the delegation. They are Alaska, Arizona, Delaware, Illinois, Indiana, Montana, Oregon, Pennsylvania, Vermont and Wyoming.

Conversely, there are seven states where the shift of a single House seat would swing delegation control to the Republicans. These are Illinois, Kentucky, Montana, Nevada, Oregon, Pennsylvania and Tennessee.

HOUSE TRENDS UNCERTAIN

So far this year, House race trends indicated in various national surveys fall far short of suggesting which major party would have state delegation control even if one or the other party gained control of the House with a plurality of its members.

Delegation control aside, the Republican high command is bending every effort to win control of the House, organize its committees

and install a Speaker—a goal that has eluded the party since 1952 when the Eisenhower landslide proved more than adequate for the purpose.

To turn the trick this time, the Republicans must gain 31 seats.

The total Republican campaign has assumed the proportions of a Shakespearean drama, with the central plot devoted to the election of Mr. Nixon and two subordinate plots revolving around control of the House and control of at least 26 separate delegations.

MORE THAN $2 MILLION AVAILABLE

With more than $2 million at its disposal, the House Republican Campaign Committee is devoting half of the amount to help elect its challengers of Democratic incumbents and half to the re-election of sitting Republican members.

The most puzzling aspect of the constitutional provision for Presidential election by the House is that it has survived demands that it be scrapped for more than a hundred years.

Thomas Jefferson wrote in 1823: "I have ever considered the constitutional mode of election ultimately by the legislature voting by states as the most dangerous blot on our Constitution, and one which some unlucky chance will some day hit."

Jefferson anticipated the event by 18 months. In the election of 1824, Andrew Jackson polled 152,933 popular votes against 115,696 for John Quincy Adams. The electoral vote was widely split because of the presence of two other candidates, Henry Clay and William Crawford.

Jackson received 99 electoral votes of the 261 in the Electoral College. Adams got 84, Crawford 41 and Clay, then Speaker of the House, 37. Clay apparently intended to support Adams from the start as the lesser of two evils. But before the election could be brought to a vote a scandal erupted.

A Philadelphia newspaper published an anonymous letter alleging that Clay had agreed to support Adams in return for being appointed his Secretary of State. The charge was denounced immediately by Clay, who called the writer of the letter "a base and infamous character, a dastard and a liar."

But Jackson believed the charge and found his suspicions vindicated when Adams, after his election by the House, did name Clay as his Secretary of State. With Clay's backing a majority of 13 state delegations voted for Adams, the minimum necessary from the 24 states of the Union at the time.

"Was there ever witnessed such a barefaced corruption in any country before?" Jackson wrote to a friend at the time.

The episode seems to have haunted House leaders ever since. But agreement on how the present system should be changed has never been reached.

FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969

The Senate resumed the consideration of the bill (S. 1708) to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

Mr. MOSS. Mr. President, the bill before us today has my strong support and also the support of the Utah State Division of Parks and Recreation.

We find it a very pleasing prospect in Utah that surplus Federal property might be made available to State and local governments for park and recreational use at prices which reflect the important role recreation and open space play in our contemporary life.

It is difficult to pay a full 50 percent of the fair market value for surplus property. Our funds will not stretch this far. It would be most helpful if we could get some of this surplus property with no payment, and other property at prices ranging upwards to 50 percent. We have a very ambitious program at both the State and local levels for the development of our superb Utah scenery and geological and historical areas. More and more we are becoming a center for western scenic and recreational America. This is the time to make our investments—to set aside the land we want and must preserve.

It is most important, it seems to me, that we take action on this bill here today in view of the fact that the administration is cutting back in the allocation of land and water conservation funds to the Bureau of Outdoor Recreation for distribution to Federal, State, and local agencies for park and recreational development. In fact, we have never lived up to our promises in this respect, and the States and localities have had their expectations raised again and again only to have them dashed when actual appropriations became available.

Another problem is that escalating land values have made more expensive the acquisition of private lands where they are essential to national or State parks or recreation areas, and the privilege of acquiring surplus Federal property at more nominal prices would relieve some of the strain on both Federal and State budgets for these purposes.

There is one listing by the General Services Administration of land in Utah which would be immediately affected by the passage of this bill. It concerns 357 acres of land at Moab, Utah.

This property was originally a part of the public domain. It is located approximately 6 miles south of Moab on Highway 160. The land is improved with an asphalt landing strip 1 mile long and 75 feet wide.

The land was conveyed to Grand and San Juan Counties in 1951 for airport use, subject to its reversion to Federal ownership when no longer used for public airport purposes. The property reverted to the Federal Aviation Administration in 1966. It has since been declared surplus, and Grand County has expressed an interest in acquiring the property for public park and recreational use.

There is undoubtedly other Federal surplus property in Utah which could be made available once this bill was cleared. This legislation would also make personal property including equipment, supplies, and vehicles, which are surplus available to Federal, State, and local recreational agencies for recreational purposes, and this would also be most welcome.

I ask unanimous consent that a telegram from the Governor of Utah be printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH,
June 11, 1969.

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

S. 1708 which would make surplus Federal land available to States and localities for park and recreation purposes on the same terms as for education and hospitals is scheduled for your consideration Thursday, June 12. The bill has my endorsement and would provide a real measure of assistance in the acquisition of needed parks areas on a more equitable basis. I respectfully urge you to support this bill.

GOV. CALVIN L. HAMPTON.

PROXMIRE OPPOSES ENACTMENT OF S. 1708

Mr. PROXMIRE. Mr. President, S. 1708 would amend the Land and Water Conservation Fund Act of 1965 by making it possible for States and municipalities to acquire surplus Federal property for parks and recreational development at 0 to 50 percent of fair market value. It would establish a three-tier method of determining the price to be paid as follows: First, where the property was originally donated to the Federal Government by the State or municipality. It could be reacquired without consideration; second, where the property was originally purchased by the Federal Government, it could be reacquired for the original purchase price; or third, the Federal Government may sell the property for 0 to 50 percent of its fair market value, the percentage to be based on the recommendations of the Secretary of the Interior. In determining the percentage to be applied on the sliding 0 to 50 percent scale, the Secretary would base his recommendation on, first, the suitability of the property for park and recreational uses; second, the accessability of the property to major population centers; third, the need for park and recreation facilities in the immediate geographical area; and fourth, the highest and best use of the property.

S. 1708 represents a complete renunciation of the Morse formula, and has been strongly opposed by both the Bureau of the Budget and by former Senator Morse. Although I think that the underlying philosophy of S. 1708 is sound—namely increasing parks and recreational facilities—the approach of the bill is totally unsound, and I cannot support it.

The background of the Morse formula is an interesting one, and I would like to discuss it briefly, because I think this will demonstrate just how unsound S. 1708 is. Wayne Morse began his battle for the Morse formula shortly after the end of World War II, at a time when a great deal of property that the Government had been using in the war effort was declared surplus to the Government's needs.

Mr. MAGNUSON. Mr. President (Mr. CRANSTON in the chair), will the Senator yield on that point for a moment?

I wanted to listen to the remarks of the Senator from Wisconsin on this bill, but we have an important appropriation meeting with the Secretary of Defense.

Mr. PROXMIRE. I am delighted to yield for any purpose to the Senator.

Mr. MAGNUSON. I hope the Senator will cover this phase of the matter. I am also familiar with the Morse formula, but there are cases in which the local subdivision of government had given the land to the Federal Government for a dollar, or something like that; and I think they make some kind of legitimate

claim that if the Federal Government is not going to use this land and is going to abandon it and make it surplus, they are entitled to have it back for the amount that had been paid.

The Morse formula, I think, was well taken when it got to the point where the Government had to go out and purchase land or owned it originally and it was not turned back.

I will read it very carefully when I return.

Mr. PROXMIRE. I thank the Senator from Washington.

One of my objections is that in some cases the locality or the State may have given the land——

Mr. MAGNUSON. Obviously, in some cases it may have been given to attract a Federal installation.

Mr. PROXMIRE. And in many cases, the Federal Government has spent a great deal of money on the land, has had to maintain it, and has incurred expenses; and to give it back would be a sacrifice for all taxpayers. I will cover that matter a little later.

Wayne Morse began his battle for the Morse formula shortly after the end of World War II, at a time when a great deal of property that the Government had been using in the war effort was declared surplus to the Government's needs. A subcommittee of the Armed Services Committee, consisting of Senator Saltonstall of Massachusetts, Senator Harry Byrd, Sr., of Virginia, and Senator Morse was directed to investigate the situation and consider means for disposing of the property. Among other things, the subcommittee recommended that transfers of Federal surplus property to States or municipalities for parks or recreational purposes should be at 50 percent of fair market value. That recommendation was enacted by Congress and became section 602(a) of the General Property and Administrative Services Act of 1949. This formula applies to every transfer of property by either the General Services Administration or any related agency, relating to either military property or to Government property generally.

Naturally, the 1949 act is simply a piece of legislation, and as such it can be overridden by any subsequently enacted statute or special interest legislation.

For more than 20 years, Senator Wayne Morse of Oregon fought to prevent giveaways of Federal property that had been declared surplus. Morse insisted, and rightly so, that surplus Federal property belonged to each and every taxpayer, and that the Federal Government had no right to give one community a financial windfall at the expense of the rest of the country.

On many, many occasions since 1949, far too numerous to list, Senator Morse stood up and fought against proposed legislation which did not adhere to the 50 percent of fair market value formula. Each and every time a piece of legislation came along that was inconsistent with the 1949 act, Senator Morse insisted upon 50 percent payment by the State or municipality purchasing the property.

Senator Morse was successful in virtually every case, and there was certainly no blanket provision, such as this bill provides, to transfer enormous amounts of Federal property at, as I have said, down to zero of the assessed valuation. In fact, the 50 percent test became such accepted practice that it came to be known as the Morse formula; and any special interest legislation that went into the hopper which failed to meet that test was sure to have the Morse formula in it by the time Senator Morse got hold of it. It has been estimated that consistent and uniform application of the Morse formula has saved the taxpayer nearly $1 billion in hard cash over the past 20 years.

Wayne Morse, unfortunately, is no longer in the Senate. This is Oregon's loss, the Senate's loss, and the country's loss. But it need not be the taxpayer's loss as well. Senator Morse labored for over 20 years to the point where the Morse formula became virtually an unwritten rule of the Senate. It would be a shame and a public affront if, 6 months after Wayne Morse's departure from the Senate, the Morse formula were to be overthrown by enactment of S. 1708.

Later, Mr. President, I intend to read the letter from Senator Wayne Morse to me, a letter of approximately four pages, in which he sets forth specifically why this bill violates the Morse formula and why it would be very bad public policy.

Turning to the specifics of S. 1708, I can see no justification at all for provisions which would allow a State or municipality which donated property in the first instance to reacquire it free of cost—subsection (1). This is what the distinguished senior Senator from Washington and I were discussing a few minutes ago. During the period of Federal ownership, the Federal Government may have put substantial improvements on the land which add tremendously to the value of the property—all paid by the taxpayer, of course. When the property is conveyed, is the taxpayer to foot the bill entirely and lose out on reimbursement for the improvements as well as the land? S. 1708 certainly poses no bar to that.

Even apart from improvements, property which has been held for a period of time by the Federal Government has undoubtedly increased substantially in value—particularly if it is located in or near an urban center. Maintenance costs, insurance, payments in lieu of taxes, all have been borne by the Federal Government while holding title to the property—part of the investment which goes with the accrual in value. Owners of private property are not expected to give away for nothing the valuable increase in real estate; and when private property is condemned for public use, the increase is reflected in the condemnation award. Why should a different standard apply when the Federal Government conveys real estate?

Subsection (3) of S. 1708 would permit a state or municipality to reacquire property for the original purchase price where the Federal Government originally paid valuable consideration for it—either to a State, municipality, or private individual. Here, again, I see no justification for permitting reacquisition of the property at the original purchase price where the Federal Government has borne the costs and risks of ownership during the interim. Whether the property was originally donated or sold at cost, the purchaser has no right to a financial windfall, courtesy of the Federal taxpayer.

Of course, even less justification exists where the property was originally purchased by the Federal Government from a private individual. What reason is there for allowing a State or municipality, which had no connection whatsoever with the original transaction, to take advantage of a selling price which may be a fraction of the current market value?

Let me give an example. There is property in the State of Washington, at Moses Lake, the original cost of which was $24,600. The present value of that Moses Lake, Wash., property is $8,957,145. Under this bill, that property could be given to Moses Lake for $24,600. While I am sure it would be very popular in Moses Lake, Wash., it would mean that in the other 49 States we would be losing property that belongs to the taxpayers of all our States.

Apart from specific objections to subsections (1) and (3) of S. 1708, I have several general objections to the main provision of the bill, which would eliminate the Morse formula and substitute a sliding 0 to 50 percent scale for the sale of surplus Federal property.

First, permitting States and municipalities to acquire property on a donation or partial donation basis may encourage them to use less than sound judgment in selecting real estate for parks and recreational facilities.

There is no question that one of the great disciplines of our free enterprise system and our free market system is that because we require people when they secure property to pay for it they will only secure that property and put it to use where it can be put to its most economical use. This is one of the great disciplines of the marketplace. This assures us that our resources are being put to efficient and constructive use and are not being wasted.

The price of merchandise is bound to influence a buyer in selecting whatever it is he is about to buy, and States or municipalities would be no less subject to this type of influence. Given a choice between two pieces of real estate, one costing fair market value, and the other available for nothing or at a tremendous discount, the potential purchaser may well select the latter, even though the former may be far more suitable for use as a park or recreational facility.

Second. It should be borne in mind that the Morse formula embodied in the Federal Property and Administrative Services Act of 1949 already represents a considerable subsidy to States and local governments. That act, by making property available at 50 percent of fair market value, in effect provides 50–50 system of matching grants, the Federal Government putting up 50 percent of the cost, and the State or local entity putting up the other 50 percent. A 50–50 division of costs is typical of the way in which the Federal Government provides subsidies, grants, or relief to deserving States or

communities, that is, the Land and Water Conservation Fund Act, 50–50 grants to cover capital costs of State and local recreation project; the Federal Water Pollution Control Act, 50–50 matching grants to help States and communities build water pollution control facilities; the Public Health Services Act, 50–50 grants for maintaining adequate public health services; the Vocational Education Act, 50–50 grants for construction of area vocational schools. S. 1708, on the other hand, would permit property to be acquired free of cost in some instances, and well below 50 percent of cost in most instances; as such, it would abrogate entirely the principle of matching costs. Such a time-tested principle should not be abrogated without a showing of, first, extraordinary need, and second, complete inability to pay. No such showing has been made here, nor is any such showing required by S. 1708.

Third. If S. 1708 goes into effect, the fortuitous locations of Federal surplus property will provide some States and communities with a financial windfall, while other, possibly equally deserving, will be left out in the cold. Presumably the object of S. 1708 is to encourage the development of parks and recreational facilities generally, on a nationwide basis. But this purpose can only be served by legislation which makes suitable property within the financial reach of States and communities most in need, and not just those that are fortunate enough to have suitable surplus Federal property within their midst. In my opinion, the only equitable method of helping the States and communities to increase their park areas and recreational facilities is to make part of the funds available, that is through the land and water conservation fund, and then have the States and communities purchase property which is needed and most suitable for recreational use.

Mr. President, I regard S. 1708 as an unwarranted burden on the Federal taxpayer, a burden which is made all the more objectionable by the fact that those States and municipalities that are least in need of recreational facilities may benefit at the expense of those with the greatest need.

Mr. President, S. 1708 is strongly opposed by both the Bureau of the Budget and by former Senator Morse. I find their arguments convincing and compelling. I cannot support S. 1708, and plan to vote agaist the bill.

I should like at this time, because I think this letter is so significant, to read from the letter of former Senator Morse respecting the Morse formula, which has generally been considered traditional in these cases before the Senate for the last 20 years. The letter from Senator Morse reads as follows:

DEAR BILL: Let me congratulate you on your opposition to S. 1708. The speech you have prepared for delivery—

Which is the speech I have just given—in the Senate in opposition to the bill is very sound. It gives an accurate account of the history of the Morse Formula and its purpose.

It is my recollection that, after the Armed Services Committee adopted the Morse, Byrd, Saltonstall report for the disposal of all surplus military property, the principle of the policy was then included in Section 602(a) of the General Property and Administrative Services Act of 1949. However, as to the disposal of surplus military property, the Armed Services Committee required that 50% of the fair market value be paid to the Federal Government for at least two years before the 1949 General Property and Administrative Services Act.

After the Armed Services Committee required the 50% of fair market value on military property, I announced that under the unanimous consent rule I would not grant unanimous consent for the disposal of any surplus property when called up on the unanimous consent calendar, unless the criteria of the Morse Formula were met.

They are as follows:

CRITERIA OF THE MORSE FORMULA

(1) If a bill seeks to transfer federal property to a local county, state, or other public body or public institution for a *public purpose and use* then 50% of its fair market value must be paid for the property.

The basis for requiring this criterion is that the property belongs to all of the taxpayers of the United States and should not be turned into a gratuity to the people living within the area of its location at the expense of all the taxpayers of the country.

Thus as my many many speeches on this criterion pointed out, the real estate for a park, or camp, or hospital, or any of a myriad of other public projects designed for the primary benefit of the people in a local community should not be financed 100% by the Federal government. Such projects do contribute to the national welfare to some degree but they contribute primarily to the welfare of the people in the local area and should be paid for the most part by the divisions of the local government.

Also it should be noted that the formula is not limited to land. It applies to any and all types of tangible property belonging to the Federal government that the author of some bill seeks to give away for nothing.

Some of the cases over the years involved trucks, machinery, livestock, surplus equipment of all types belonging to Uncle Sam. In fact, after World War II, too many members of Congress tried to turn over storehouses of surplus property and our excess real estate holdings into a huge grab-bag for give-away disposals. I said at the time, my investigation showed that politicians were seeking to buy the support of their constituents by seeing how much surplus property they could obtain for their districts and states without cost to their voters. In a sense, the practice was developing some serious questions of political ethics.

Furthermore, as you point out in your speech, the very location and concentration of large amounts of surplus property in certain areas of the country, worked to the favor of the people in those areas. Some of the bills covered thousands of acres of military reservations, or federal office buildings, that had been built for war administration use, or tin smelters, airports etc. etc. But there was no equality of distribution of such property across the nation. As a result, the Senators or Congressmen in the heavily concentrated surplus property areas were the political beneficiaries of political hand-outs.

(2) If the bill sought to transfer the property to a city, county, state, or other public body but the use was to be for a private purpose, then 100% of the fair market value would have to be paid.

This is the Morse formula, as spelled out by former Senator Morse in his letter.

Two precedent-setting cases come to my mind. Early in the application of the Morse Formula there came before the Senate a bill that proposed to give to a Nebraska Municipality a very valuable acreage of Federal land for absolutely nothing. The author of the bill didn't even want to agree to a payment of 50% of the fair market value.

What was the purpose of the grant? It was to allow the city government to offer industrial sites to new businesses, manufacturing firms, and other private enterprises without cost if they would locate in that particular city. Of course, the purpose was not a public purpose in the sense intended by the Morse Formula. It was basically a private-use objective. It was an attempt to have the Federal government pay a subsidy for the benefit of the city concerned to help it get new business.

The Senate supported my opposition to the bill. It is interesting that in this case, and many others in which other forms of subsidies for special groups were sought at the expense of all the taxpayers of the country, the Senate recognized the basic unfairness involved.

For example, in cases such as the Nebraska case just mentioned, city after city without the availability of surplus property would be placed at a competitive disadvantage by subsidy giveaways by the Federal government.

Another precedent-setting case on the private-use criterion involved the Methodist Church. In the depression of the 1920's a Methodist Church in San Francisco went into receivership on a combined church and office building. Following receivership litigation, new owners took over. Early in World War II the Federal government bought the building for a War Office Building. After the War it was declared surplus. A bill was introduced to give the building to the Methodist Church that had lost it during the depression. I objected unless 100% payment of its fair market value was inserted in the bill. In essence, the bill violated the public-use criterion of the Morse Formula. I good-naturedly but seriously also contended that it violated the separation of state and church doctrine. The controversy was raised from time to time on the unanimous consent calendar for two years and finally the bill was withdrawn.

(3) If a local government agency gives a piece of property without reservation to the Federal government and then some years later it becomes surplus to federal needs, the local agency is not entitled to get the property back. Once it becomes the property of all the taxpayers of the country they are entitled to have it sold for the benefit of all the taxpayers.

Furthermore, the Federal government does not hold property without costs to itself, as you point out in your speech. Also, costly improvements might have been added to a property the government obtains by gift or purchase.

In those cases where a city, county, or state give property to the Federal government with reservations attached, then the Morse Formula is modified accordingly but not entirely.

For example, some of the cases involved the giving to the U.S. Veterans Bureau, land for the location of a veterans hospital, with the reservation that the land was to revert to the local government if the Federal government ceased to use it for hospital purposes. In such cases the land goes back, but the Federal Government gets whatever it can get for the salvage of the improvements on the property.

(4) S. 1708 clearly violates the Morse Formula in many respects.

Its 0–50% figure leaves to the Department of Interior a dangerous power for political manipulation. The taxpayers are entitled to have a rule such as 50% of appraised fair market value established by law. We must watch out for such gimmicks of discretion which the bill seeks to turn over to the Interior Department in S. 1708.

The bill gives away without cost to the local agency all the improvements on the property concerned. This can run into great value. It is one thing for the Federal govern-

ment to establish a Federal Park if the circumstances justify it. However, to permit the Department of Interior the broad discretion to give away federal property to local government agencies brings us another step in the direction of government by arbitrary discretion of mere men.

Next the fact that the state gave the property in the first place is immaterial unless reservations were designated in the transfer.

The provision of S1708 which would allow the state to get the property back years later at the same price the Federal government paid for it is a shocking example of short-changing all the taxpayers of the country. The property belongs to all of the taxpayers at its present worth and they should not be cheated out of 50% of its assessed fair market value.

Finally, Bill, I want to say that this bill is another example of an attempt to have Congress delegate away its responsibilities, to officials in the Executive branch of government. It is another step toward government by Executive Supremacy. Congress has not only the authority but the clear duty to dispose of federal property for fair value. It should not delegate away this duty to officials in the Department of Interior or any other department. The danger of potential abuses and potential political corruption resulting from this type of bill are great.

The record of the Department of Interior, and other departments exercising blanket discretionary authority such as the weak guidelines of this bill, is replete with injuries to the public interest. Surely the experiences the people of the country have had with land manipulation scandals with various administrations of the past, should cause this Congress to reject S1708.

I have many other objections to the bill but your speech covers the points so well as to why this bill should be put in the legislative ash-can, that I shall say no more.

Best wishes, always

Cordially,

WAYNE MORSE.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from the Bureau of the Budget found on pages 11 to 13 of the committee report, opposing the bill, and giving the Bureau's specific reasons why it opposes the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., May 13, 1969.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request of April 14, 1969, for the views of the Bureau of the Budget on S. 1708, a bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

The bill would give the States and their political subdivisions the right to acquire surplus Federal real and personal property for park and recreational purposes for a period of 5 years, notwithstanding provisions of the Surplus Property Act of 1944, and the Federal Property and Administrative Services Act of 1949, as amended, under the following methods:

(a) Where the State or political subdivision originally donated the property to the Government, the property could be reacquired at no cost.

(b) Where the Federal Government paid for the property, the State or political subdivision could acquire the property, at its election, either at the original purchase price or at a price ranging from zero to 50 percent of fair market value as determined by the Administrator of General Services in accordance with specified recommendations of the Secretary of the Interior.

The bill's apparent intent, with which we are sympathetic, is to encourage State and local governments to acquire and develop additional land for parks and recreational opportunities.

With respect to the provision which would allow States and their political subdivisions that have donated property to the Federal Government the right to reacquire the property without charge. We generally do not object to such reacquisitions when it can be demonstrated to the Congress that such action is equitable. However, there are a number of other provisions in the bill which, in our view, involve difficulties as to approach and concept.

First, by giving the States the right to acquire surplus real and personal property for park and recreational purposes, S. 1708 apears to establish a priority for such use, regardless of the highest and best use of the property. The highest and best use might be for schools, hospitals, housing, industry to increase opportunity for economic development, or for a number of other purposes. We believe that the principle of highest and best use should be retained in the disposal of surplus real and personal property .

Second, the availability of surplus Federal land in a donation or partial donation program tends to encourage State and local governments not to use sound judgment by acquiring such real property even when it is not the most suitable property for the purpose acquired. Property having an extremely high current market value has occasionally been donated for a puropse which might have been served with less valuable property. Such situations are aggravated when the sale of such property could have increased local tax revenues and helped the economy of the community. To provide a further reduction in the price to be paid for park and recreational conveyances might well tend to encourage local governments to acquire less suitable land in the locality than could be acquired through the use of Land and Water Conservation Fund Act grants.

Third, the provision that conveyances of surplus property to the States and their political subdivisions at the price the Federal Government originally paid for the property would be a departure from a fair value standard. This method of price determination might result in enormous windfalls to some States and political subdivisions while others would be afforded little or no advantage. Some surplus lands were acquired many years ago at what would now be considered nominal cost. More recent land acquisitions would have been at prices more closely reflecting present values.

In addition, under paragraphs (1) and (2) of the proviso in S. 1708, it is not clear how Federal improvements to the property would be disposed of. If it is intended that such improvements would be conveyed with the property originally donated or sold by the State or locality, further windfall could result. Where the State or political subdivision donated the property to the United States, it could reacquire the property at no cost regardless of the value of Federal construction or other improvements. Under paragraph (2), where the United States paid valuable consideration for the property, the State or political subdivision could acquire the property at the original purchase cost, with no compensation to the United States for valuable Federal improvements on the property.

Fourth, S. 1708 would authorize a departure from the general standard of 50 percent Federal assistance for State and local recreation project costs. At present, a discount equal to 50 percent of fair value is authorized by the Surplus Property Act of 1944, as amended, for Federal surplus property sold to public agencies for park and recreational purposes. In addition, 50 percent Federal assistance for the capital costs of State and local recreation projects is available under the following major Federal programs: (1) the land and water conservation fund State assistance program, (2) the open space land program, (3) the separable recreation costs for small watershed program (Public Law 566), (4) the community action programs authorized by the Economic Opportunity Act of 1964, and (5) the separable recreation costs for Federal water projects built by the Corps of Engineers and the Bureau of Reclamation.

Fifth, the bill does not include a provision to require that the property will revert to the United States if the Secretary of the Interior determines that the property is not being used for the purpose for which it was conveyed.

Sixth, Federal surplus property is not distributed evenly or necessarily located where shortages of park and recreational opportunities exist. While equity might be improved by adjusting the distribution of grant assistance among the States under the land and water conservation fund grant program, such adjustments would be extremely difficult to make and would likely be only partially successful.

In view of these concerns, we are unable to recommend enactment of S. 1708. However, we recognize that the general structure of our system of Federal real property disposal needs improvement because of some inequities in Federal surplus property disposals under various public use authorities. We have worked with the major program and property disposal agencies to perfect the system, and are still interested in improving the disposal program. We would be happy to work with the committee to develop appropriate legislation to achieve that objective.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

Mr. RIBICOFF. Mr. President, one of the great needs of our country is to provide open areas for parks and recreation for our citizens. We need such facilities not only now for today's population but for future generations to insure that they have the proper recreational facilities they deserve.

I am, therefore, proud to be a cosponsor of S. 1708, the Federal Lands for Parks and Recreation Act of 1969. This bill will make surplus Federal property more readily available to State and local governments for park and recreation uses.

Under present law, surplus Federal property may be purchased by State and local governments at 50 percent of fair market value. However, surplus Federal land can be attained at no cost if the intended use is for a historical monument, a public airport, or for wildlife purposes. Such land may also be sold at any figure from 0 to 50 percent of fair market value if the proposed purpose is for education or public health.

The rapidly increasing value of land and the skyrocketing demand for land for commercial and residential purposes have frustrated attempts to develop recreation areas under the existing law. In fiscal 1968 only 22 properties totaling 2,740 acres were conveyed to State and local governments for park and recreational purposes.

Land prices are rising at the rate of 10 percent a year. The rate for land with recreational potential is rising even higher. At the same time, State and local governments are finding their finan-

cial resources burdened with the increasing demands of necessary programs to improve the quality of education, health, law enforcement, welfare, and housing. Thus local governments have been unable to meet the spiraling cost of acquiring surplus Federal property for recreational purposes.

A recent report by the National League of Cities concluded that this process of land acquisition "has become difficult, if not impossible, in most of the Nation's cities." Yet it is in these urban areas of America where the recreational needs are the greatest, especially as we look to the future.

Today more than 200 million people live in the United States. This number will increase to over 300 million by the year 2000. In my own State of Connecticut, today's population of 3 million will double in size by the year 2000. These future generations will have more time for recreation due to increasing salaries and a shorter workweek. It is therefore imperative that we set aside today the land to be used for tomorrow, lest it be irrevocably lost to new highways which swallow up forests at the rate of 60 acres a mile and to huge shopping centers and parking lots that greedily devour open land in our urban areas.

Passage of S. 1708 would give park and recreational facilities an equal priority with historical sites, airports, wildlife conservation, and health and educational facilities. This will permit States and municipalities to make decisions based upon the needs of their residents rather than on the relative price discounts available. By decreasing the purchase price of these park lands, the limited budgets of our State and local governments could be used more to develop, maintain and improve recreational facilities rather than primarily to make the initial purchase, as is presently the case.

As of December 31, 1969, there were Federal surplus lands in 48 States, presenting an enormous potential for needed park and recreational areas across the Nation. Once lost to other uses, these areas cannot be regained. Present and future citizens will have been deprived of the peace and pleasure that those areas would provide.

Mr. President, I therefore urge the prompt passage of S. 1708.

Mr. SCOTT. Mr. President, I was pleased to have my name added as a cosponsor of S. 1708, the Federal Lands for Parks and Recreation Act of 1969. This proposal is designed to make surplus Federal properties more readily available to State and local governments for development as parks and recreational areas.

In my Commonwealth of Pennsylvania, there are at least nine sites that would be eligible under this bill for acquisition either by the Commonwealth itself, or by local governments. These sites include both urban and rural property.

I have always felt that urban areas, where three-fourths of our people live, need to have the same proximity to recreational facilities as do rural areas. I believe that the bill, introduced by the Senator from Washington (Mr. JACKSON), will advance this goal, and I add my name in cosponsorship with that hope.

Mr. MAGNUSON. I appreciate the opportunity today to lend my encouragement and support to S. 1708, the Federal Lands for Parks and Recreation Act of 1969. The purpose of S. 1708 is to make surplus Federal property easily obtainable by State and local governments for park and recreation use.

One of the great and important goals of our country is to provide open spaces in our cities and urban areas. It is extremely important that the Federal Government play a central role in seeing that this goal is achieved. One way that this can be accomplished is to modify the standards laid down in the Surplus Property Act of 1944.

Particularly important is the provision in this bill which will allow local governments to purchase available surplus Federal property at a price less than 50 percent of fair market value—50 percent was the magic number under the Surplus Property Act of 1944. I particularly am impressed with the provision which states that if a State or political subdivision originally donated the property to the Federal Government, that this same political subdivision or State may reacquire it at no cost. I think that there are strong policy reasons for supporting this bill and I give it my wholehearted endorsement today.

Hopefully, this will set a trend which will prompt our local governments to acquire surplus property for open spaces which they so desperately need if the children of the future are to have places where they can enjoy our country in all its beauty.

S. 2390—INTRODUCTION OF THE TRADE EXPANSION ACT OF 1969

Mr. BROOKE. Mr. President, I rise today to address a subject which is of great concern to me—the role of the United States in world trade. The Committee on Banking and Currency is presently considering a proposal to extend the termination date of the existing Export Control Act to June 30, 1973, and a proposal to replace the present act with new legislation which would deal with both the expansion and regulation of exports. I do not believe that either proposal represents the optimum solution to the important problems which surround past administration of the export control program.

It would be inappropriate for me to support an extension of the present act—with nothing more—since this would result in a continuation of the policies which have discouraged trade in nonstrategic goods. At the same time, I believe that we must not lessen the President's authority to control exports that make a significant contribution to the military potential of any nation which would prove deterimental to the national security of the United States.

I have not supported the second piece of legislation because I feel it possesses shortcomings which cannot be easily corrected by amendments. I am, however, in sympathy with the efforts of its sponsors to bring about a meaningful improvement in our export control program.

Accordingly, the bill which I introduce today seeks to strike a proper balance between encouraging trade in peaceful goods and providing the President with necessary authority to control exports of strategic goods. I should like to emphasize that this bill is not intended to diminish the President's authority to control the exportation of strategic—or military—goods. It is, however intended to convey by belief that trade in peaceful goods should be expanded.

Section 2 of this bill would give the President authority to control exports to any nation if he determines taking into consideration availability of the particular goods from other nations, that such export makes a significant contribution to the military potential of the importing nation which would prove detrimental to the national security of the United States. Thus, controls would not be precluded where the item is readily available from another country; however, the President would be required to consider foreign availability in making his determinations.

Section 3 of the bill would require the President to seek information and advice from private industry in determining what action to take with regard to expanding and regulating exports, consistent with considerations of national security.

Section 7 would establish a "Trade Expansion Commission" charged with the responsibility of determining practicable ways by which exports from the United States can be expanded without jeopardizing the national security.

Section 11 would require the President to exercise his authority to control the export and import of arms, ammunition and implements of war under the Mutual Security Act of 1954 in such a manner as to achieve effective coordination between the controls authorized under that act and the controls authorized under this bill.

I feel that this bill, coupled with administrative changes which I shall be recommending shortly, will improve our export control program considerably.

Trade is not a process that can be alternately encouraged and discouraged by the Government if we hope to achieve long-run improvements in our balance-of-payments situation. We must seek to encourage trade in peaceful goods at every opportunity and must minimize the use of international trade as a political tool. We must think beyond Vietnam and begin improving our economic ties with the countries of Eastern Europe and the Soviet Union. Trade is vital to our economic well-being when it does not contribute to the military potential of another country in such a manner as to prove detrimental to our national security.

We are at a historic juncture in the development of nonstrategic trade with Eastern Europe and the Soviet Union. We can extend the present export control program and thereby perpetuate restrictive policies of the past or we can undertake broad initiatives to expand trade which is not detrimental to our national

security and thereby reassert our leadership in the markets of the world. I am confident that we will take the latter approach.

Mr. President, I ask that the text of the bill be printed in the RECORD at this point in my statement.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2390), to promote the general welfare, foreign policy, and national security of the United States through the expansion of international trade and through the regulation of certain exports, and for other purposes, introduced by Mr. BROOKE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2390

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Trade Expansion Act of 1969".

DECLARATION OF POLICY

SECTION 1. The Congress makes the following declarations:

(a) It is the policy of the United States to encourage expanded trade in peaceful goods and technology with all countries with which we have diplomatic or trading relations; and to use export controls only to the extent necessary (1) to exercise vigilance over exports from the standpoint of their significance to the national security and foreign policy of the United States; and (2) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand.

(b) It is the policy of the United States to formulate, reformulate, and apply such controls to the maximum extent possible in cooperation with all nations with which the United States has defense treaty commitments, and to formulate a unified commercial and trading policy to be observed by all such nations.

(c) It is the policy of the United States (1) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (2) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information or the signing of agreements, which has the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country or against another country friendly to the United States.

AUTHORITY

SEC. 2. (a) To effectuate the policies set forth in section 1 hereof the Pesident may prohibit or curtail the exportation from the United States, its Territories, and posessions, of any articles, materials, or supplies, including technical data or any other information, except under such rules and regulations as he shall prescribe. To the extent necessary to achieve effective enforcement of this Act, such rules and regulations may apply to the financing, transporting, and other servicing of exports and the participation therein by any person. Such rules and regulations shall provide that express permission and authority must be sought and obtained to export articles, materials, or supplies, including technical data, or any other information, from the United States, its Territories and possessions, to any nation or combination of nations if the President shall determine, taking into consideration availability of such exports from other nations, that such export makes a significant contribution to the military potential of such nation or nations which would prove detrimental to the national security of the United States. Such rules and regulations shall implement the provisions of section 1(c) of this Act and shall require that all domestic concerns receiving requests for the furnisihng of information or the signing of agreements as specified in section 1(c) must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 1(c).

(b) The rules and regulations authorized by this section shall provide that the export of a particular category of items shall not be subjected to the requirement that express permission and authority be sought and obtained where such export does not make a significant contribution to the military potential of any nation or combination of nations which would prove detrimental to the national security of the United States.

(c) The President may delegate the power, authority, and discretion conferred upon him by this Act to such departments, agencies, or officials of the Government as he may deem appropriate.

(d) The authority conferred by this section shall not be exercised with respect to any agricultural commodity, including fats and oils, during any period for which the supply of such commodity is determined by the Secretary of Agriculture to be in excess of the requirements of the domestic economy, except to the extent required to effectuate the policies set forth in section 1(a) of this Act.

(e) Nothing in this Act, or in the rules and regulations authorized by it, shall in any way be construed to require authority and permission to export items in any categories other than those specified in this Act or under any circumstances other than those specified in this Act.

CONSULTATION

SEC. 3. In determining what action to take with regard to expanding and regulating exports, any department, agency, or official making these determinations shall seek information and advice from the several executive departments and independent agencies concerned with aspects of our domestic and foreign policies and operations having an important bearing on our exports. Consistent with considerations of national security, the President shall seek information and advice from private industry in connection with the making of these determinations.

VIOLATIONS

SEC. 4. (a) Whoever willfully exports anything contrary to any provision of this Act or any regulation, order, or license issued hereunder, with knowledge that such items are being exported contrary to any provision of this Act or any regulation, order, or license issued hereunder, shall, upon conviction, be punished by a fine of not more than five times the value of the exports involved or $20,000, whichever is greater, or by imprisonment for not more than five years, or by both such fine and imprisonment.

(b) The head of any department or agency exercising any functions under this Act, or any officer or employee of such department or agency specifically designated by the head thereof, may impose a civil penalty not to exceed $1,000 for each violation of this Act or any regulation, order, or license issued under this Act, either in addition to or in lieu of any other liability or penalty which may be imposed.

(c) The payment of any penalty imposed pursuant to subsection (b) may be made a condition, for a period not exceeding one year after the imposition of such penalty, to the continued right to export of the person upon whom such penalty is imposed.

(d) Any amount paid in satisfaction of any penalty imposed pursuant to subsection (b) shall be covered into the Treasury as a miscellaneous receipt. The head of the department or agency concerned may, in his discretion, refund any such penalty, within two years after payment, on the ground of a material error of fact or law in the imposition. Notwithstanding section 1346(a) of title 28 of the United States Code, no action for the refund of any penalty may be maintained in any court.

(e) In the event of the failure of any person to pay a penalty imposed pursuant to subsection (b), a civil action for the recovery thereof may, in the discretion of the head of the department or agency concerned, be brought in the name of the United States. In any such action, the court shall determine de novo all issues necessary to the establishment of liability. Except as provided in this subsection, and in subsection (c), no such liability shall be asserted, claimed, or recovered upon by the United States in any way unless it has previously been reduced to judgment.

(f) Nothing in subsection (b), (c), or (e), shall limit—

(1) the availability of other administrative or judicial remedies with respect to violations of this Act, or any regulation, order, or license issued under this Act;

(2) the authority to compromise and settle administrative proceedings brought with respect to violations of this Act, or any regulation, order, or license issued under this Act; or

(3) the authority to compromise, remit, or mitigate seizures and forfeitures pursuant to section 1(b) of title VI of the Act of June 15, 1917 (22 U.S.C. 401(b)).

ENFORCEMENT

SEC. 5. (a) To the extent necessary or appropriate to the enforcement of this Act, the head of any department or agency exercising any functions hereunder (and officers or employees of such department or agency specifically designated by the head thereof) may make such investigations and obtain such information from, require such reports or the keeping of such records by, make such inspection of the books, records, and other writings, premises, or property of, and take the sworn testimony of, any person. In addition, such officers or employees may administer oaths or affirmations, and may by subpena require any person to appear and testify or to appear and produce books, records, and other writings, or both, and in the case of contumacy by, or refusal to obey a subpena issued to, any such person, the district court of the United States for any district in which such person is found or resides or transacts business, upon application, and after notice to any such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce books, records, and other writings, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(b) No person shall be excused from complying with any requirements under this section because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893 (27 Stat. 443) shall apply with respect to any individual who specifically claims such privilege.

(c) No department, agency or official exercising any functions under this Act shall publish or disclose information obtained hereunder which is deemed confidential or with reference to which a request for confidential treatment is made by the person furnishing such information unless the head of such department or agency determines that the withholding thereof is contrary to the national interest.

(d) In the administration and enforcement of this Act, reporting requirements

June 26, 1969

SENATE

11. CONSERVATION. Passed as reported S. 1790, the Great Plains conservation bill. Sen. Mansfield quoted from the committee report: "This bill would extend the Great Plains conservation program for 10 years and enlarge its scope in a number of minor respects. The program is one under which the Secretary enters into conservation cost sharing contracts of up to 10 years with producers in counties susceptible to wind erosion in the States of Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming." pp. S7199-202

Passed as reported S. 1076, to establish a Youth Conservation Corps in the Departments of the Interior and Agriculture. Sen. Mansfield quoted from the committee report: "The purpose of this legislation...is to establish a pilot Youth Conservation Corps program for young men and women, 14--18 years of age, who would participate in summer work and educational projects in our national parks, forests, recreation areas, wildlife refuges, and other public lands administered by the Departments of the Interior and Agriculture for periods up to 90 days...The bill authorizes appropriations to support a 3-year pilot program for approximately 3000 youth each year." pp. S7202-4

12. TAXATION. The Finance Committee reported with amendment H. R. 9951, relative to the collection of Federal unemployment tax (S. Rept. 91-281). p. S7214

Sen. Metcalf expressed his willingness for the present income tax withholding rates to be continued for 90 days so that any proposal to extend the surcharge can be considered simultaneously with comprehensive tax reform. p. S7225

13. RESEARCH. The Aeronautical and Space Sciences Committee reported with amendment H. R. 11271, to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management (S. Rept. 91-282)(p. S7214). Includes in the Space Applications program for cooperation with this Department in determining the spectrum of remote sensor requirements necessary to apply space technology to the fields of agriculture, forestry, oceanography, meterology, etc.

Passed with amendment H. R. 12167, fiscal 1970 authorizations for the Atomic Energy Commission. Includes funds for isotopes development program involving use of radioisotopes for combating environmental pollution and for the preservation of food by radiation. S. 2416, a similar bill, was postponed indefinitely. pp. S7265-71

14. EXPORT CONTROL. Passed without amendment S. J. Res. 122, to provide for a temporary extension of the authority conferred by the Export Control Act of 1949. p. S7204

15. RECREATION. Passed as reported S. 621, to provide for the establishment of the Apostle Islands National Lakeshore, Wisc. pp. S7212-14

Passed with amendments S. 1708, to amend the Land and Water Conservation Fund Act of 1965 by authorizing the sale of surplus Federal properties at less than the full 50 percent of fair market value which is required under present law. pp. S7271-2, S7280-2

16. APPROPRIATIONS. Sen. Williams, Del., submitted and discussed two amendments he intends to propose to the USDA appropriation bill. He stated that one amendment would place a limit of $20,000 on farm payments and the other would repeal the "snap-back" provision. He inserted a list of the 1968 total payments of $60,000 and over under ASCS programs (excluding price support loans). pp. S7224-5, S7275-80

H. R. 11582, the Treasury-Post Office appropriation bill was made the unfinished business. p. S7282

17. APPALACHIA. The "Daily Digest" states that the Public Works Committee voted to report (but did not actually report) S. 1072, the "proposed Appalachian Regional Development Act Amendments of 1969. As approved by the committee the bill would provide: (1) $294 million for fiscal years 1970 and 1971 for Appalachian regional development, including extension of Appalachian develo ment, including extension of Appalachian highway system (2) $285 million for fiscal years 1970 and 1971 for extension of authority of the five regional commissions, not more than $100 million of which could be used for regional development transportation system, and (3) 1-year extension of title I of the Public Works and Economic Development Act providing public works grants through the Economic Development Administration." p. D559

18. WATER POLLUTION. The "Daily Digest" states a subcommittee of the Public Works Committee approved for full committee consideration with amendments S. 7, proposed Water Quality Improvement Act of 1969. p. D559

19. INTEREST RATES. Sen. Montoya stated the effect of the raise in interest rates "will spread far and wide--to the ruin of homebuilders, homeowners, small businessmen, farmers, and others." pp. S7227-9

20. WATER. Sen. Murphy inserted an article by former Assistant Secretary of Agriculture Earl Coke in support of legislation to modernize the "archaic 160-acre limitation provision of our reclamation regulations." p. S7235

21. TIMBER; FORESTRY. Sen. Montoya stated that it is the Forest Service which is "largely responsible for the conditions which are depriving producers of raw material they can operate profitably." He announced hearings in order to seek "an accounting from the Secretary of Agriculture for the conduct of the Forest Service." p. S7237

22. POVERTY. Sen. Goodell inserted a review of Dr. Levitan's book, "The Great Society's Poor Law: A New Approach to Poverty." pp. S7254-55

23. GRAINS. Sen. Hruska spoke in support of proposed legislation to authorize the Commodity Credit Corporation to insure loans made to farmers for the construction or purchase of facilities for storage of grain on the farm. p. S7255

Sen. Hartke criticized the International Grains Arrangement and stated that the "high prices extablished by the new convention have encouraged uneconomical production of wheat abroad." pp. S7257-61

24. EDUCATION. Sen. Murphy inserted his testimony in favor of Federal aid to education in impacted areas. pp. S7261-5

Let us just wait until we get on the floor, and have somebody get up and say, "This is what the amount should be."

The only substantial argument I have heard on the floor today, and it was a good argument, was that of the Senator from Tennessee. Realizing how he feels about the matter, I hope the Senator will go along with what I am about to propose.

I have discussed this matter with the Senator from Wisconsin, the Senator from Delaware, the Senator from Vermont (Mr. AIKEN), who is a member of our committee, and also the Senator from Utah (Mr. BENNETT), who is a member of our committee. I made this suggestion to them: In view of the argument that has been made here that only the other day we did pass a supplemental bill that established a ceiling, under the Senate amendment, that any time you add anything to any budget estimate, the President perforce has to take that amount out of some other program, which at the same time will be hurt to that extent, in view of the fact that this bill, in the aggregate, goes only $6,232,000 over and above the budget estimate, so that we may preserve the principle that we have established a ceiling, and we do not want to set the example, today, of going through that ceiling, even by a miniscule amount when compared with the authorization bill—only 0.2 percent—I wonder whether the Senator from Tennessee, if the Senator from Wisconsin will amend his amendment to make the amount $6,232,000 instead of $35 million, and we would take that figure to conference, would approve the Senator's amendment, under the circumstances.

Mr. GORE. Mr. President, how would we know what items would be affected?

Mr. PASTORE. We would have to work that out in conference, and also with the Joint Committee on Atomic Energy.

As a matter of fact, under date of April 13, 1964, I wrote a letter to Mr. Seaborg, who is the Chairman of the Atomic Energy Commission, whereby we agreed that any time we make these adjustments, they cannot change them except by consultation with us. After they send their proposed change up to us, if within 15 days we do not accept it, they cannot make the change. I assure the Senator that those programs in which he is very much interested—and I know his enthusiasm, his interest, and his devotion—will be done no irreparable harm.

Mr. GORE. Mr. President, though one with trepidation pits his judgment against the collective judgment of his colleagues, I think it would be a mistake so to do, and that, in yielding in this regard, the committee would be yielding its collective judgment to what is really a fetish concerning the sanctimonious character of a budget estimate.

To me, a budget estimate does not have any such character. I do not concede that the Bureau of the Budget has a competence in this field even approaching that of the Joint Committee on Atomic Energy and its staff.

Yet this would be but a modest cut, and, with the assurances of the chairman of the Joint Committee that this is his judgment and the judgment of—is this the judgment of the Senator from Vermont also?

Mr. AIKEN. Yes, I think that ways could be found to save $600 million out of the total appropriation without injuring the work of the Commission in any respect.

Mr. PASTORE. Mr. President, I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I send to the desk a modified amendment which removes precisely what the distinguished Senator from Rhode Island has suggested. That is, it simply cuts back the total authorization to the level that the Budget Bureau specifies.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 1, line 7, delete "$1,973,282,000" and insert in lieu thereof "$1,967,050,000."

Mr. PROXMIRE. Mr. President, I specify that the amendment is being offered on behalf of myself and the distinguished Senator from Delaware (Mr. WILLIAMS).

Mr. PASTORE. And the further understanding that turning back to the original figure does not turn back to the same alinement by the AEC. It will have to be adjusted to the ideas of the committee as well.

Mr. PROXMIRE. The Senator is correct.

Mr. President, I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 12167) was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further consideration of S. 2416 be postponed indefinitely.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is always a pleasure to be present in the Chamber when the senior Senator from Rhode Island (Mr. PASTORE) is in charge of a bill. That was the case today. The Senate disposed of the Atomic Energy Commission authorization with the greatest efficiency and expedition. Its expert handling by Senator PASTORE was in keeping with the magnificent record he has compiled. Senator PASTORE expressed his usual thoughtful views with compelling persuasiveness and led this measure through to overwhelming success.

And it was achieved with the excellent support of the ranking minority member of the committee, the senior Senator from Vermont (Mr. AIKEN). Senator AIKEN's equally persuasive capacity, in fact, assured this outstanding success.

Also to be commended for his contribution to the discussion on this measure is the Senator from Wisconsin (Mr. PROXMIRE). He urged his amendment skillfully and with proficient advocacy. Its acceptance was assured. Finally, the Senator from Tennessee (Mr. GORE) is to be thanked for adding his thoughtful views to the discussion. His contributions are always wise, always welcome.

I am grateful to the Senate as a whole for joining to dispose of this measure today.

RETENTION OF ADMIRAL RICKOVER

Mr. JACKSON. Mr. President, at this place in the RECORD I would like to call attention to the fact that the Joint Committee report on the "Naval Nuclear Propulsion Program—1969" released last week makes a pointed reference to the important and continuing contribution being made by Adm. H. G. Rickover to our Nation's nuclear submarine program. Today more than ever it is vital that Admiral Rickover's services to our country be continued. In this connection, let me quote from the foreward to the Joint Committee hearing on nuclear propulsion dated June 17, 1969:

The Committee hopes that the new leadership of the Department of Defense and the Navy will act swiftly to announce their intention to reappoint Admiral Rickover when his present term expires in January 1970 so as to avoid any conjecture to the contrary that might arise again this year based on the poor record of their predecessors in this matter for the past 16 years.

I strongly urge that Admiral Rickover's reappointment be announced as soon as possible.

FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 216, S. 1708.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1708) to amend title 1 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Lands for Parks and Recreation Act of 1969".

SEC. 2. Section 2(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (effective March 31, 1970, section 2(b) becomes section 2(a) pursuant to the provisions of Public Law 90-401, July 15, 1968), is further amended by deleting the last sentence and adding the following new paragraphs.

"Provided, however, That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivi-

sions may acquire until June 30, 1973, from the United States for public park and recreation purposes surplus Federal real property together with such improvements, equipment, and related personal property that the Secretary of the Interior has recommended to the Administrator of the General Services Administration for such acquisition based upon the suitability of the property for park and recreational uses; the accessibility of the property to major population centers; the need for park and recreation facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of this Act; and the highest and best use of the property taking into consideration the need of future generations for parks, open spaces, and recreational opportunities. Conveyances of such property for park or recreation purposes shall be in accordance with one of the following methods as determined by the State or political subdivision thereof:

"(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired without the payment of any consideration; or

"(2) Where a State or its political subdivisions so elects, the surplus Federal property may be acquired at zero to 50 per centum of the fair market value, as determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior; or

"(3) Where the United States paid valuable consideration for the property to the State, its political subdivisions, or to any person, the State or its political subdivision may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition.

"Deeds conveying any surplus real property disposed of under this authority shall be issued by the General Services Administration and shall provide that the property shall be used and maintained for the purpose for which it was conveyed, and, in the event that such property ceases to be used or maintained for such purposes, such property shall at the option of the Secretary revert to the United States. The deeds may also contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interest of the United States. The Secretary of the Interior may exercise all of his existing authorities under section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, as to property transferred under this Act. The State and their political subdivisions shall compensate the United States for the administrative costs of surplus property transfers made pursuant to this Act."

"The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing the provisions of this Act.

"Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions."

ADDRESS BY MR. HALABY TO GREATER MIAMI CHAMBER OF COMMERCE

Mr. HOLLAND. Mr. President, the tremendous forward strides made by the State of Florida, that I have the honor to represent, in the last three decades can be credited in part to a complex of air routes and to air service instituted into the State from the rest of the Nation and from abroad.

One of the first air services conceived within Florida occurred in October of 1927 when a small trimotor aircraft, bearing the insignia of Pan American World Airways, flew 90 miles from Key West to Havana to inaugrate international air service between the United States and our then friendly neighbor to the south.

Since that time, Mr. President, Pan American World Airways has become one of the largest private enterprise employers in the State of Florida and its roaring jets provide service not only to Miami International Airport but to Tampa as well.

Pan American has even more elaborate plans for the future for Florida which are also beneficial to the Nation. Some of these plans were outlined recently by Mr. Najeeb E. Halaby, president of Pan American World Airways, before the Greater Miami Chamber of Commerce. I ask unanimous consent that Mr. Halaby's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY MR. HALABY

First, I'd like to say that I'm very impressed with what I've learned about your leadership training program. It's generally acknowledged now that the answers to most of the problems plaguing our cities must come from concerned citizens. What is not so widely accepted, it seems to me, is that an understanding of these problems and an imaginative search for solutions demands a lot of homework.

I can think of no better approach to this necessity for informed community leadership than a cadre of young business and professional people who have participated in an organized study of their city's problems and potentials. I am sure that Miami's future will be brighter for your efforts.

What sort of a future does Miami face in the next 10 or 15 years. I am going to limit myself to one phase of this future—your transportation needs. I believe I can qualify as a knowledgeable commentator on air transportation and I have, for whatever they are worth, a few thoughts on urban transportation in general.

Let's make two assumptions about Miami, 1985. And, by Miami, I mean the Greater Miami area which you serve as a major transportation hub.

The first assumption is that Miami will continue to experience a good measure of the phenomenal population growth which has chracterized the last two decades. Dade and Broward counties more than doubled their population during the fifties. During the first nine years of this decade, the growth rate has been better than 40 per cent. By 1985, your Dade Development Board projects a population of a little better than three million for the area, which represents another increase of about 55 per cent. Even with allowances for error and sunshine optimism, this adds up to a busy, busy future.

The second assumption is that tourism will continue to be one of the area's principal industries. This, it seems to me, is a less tenable assumption—for while I am sure that your tourism will continue to flourish I would expect that, as transportation links to your developing neighbors to the south continue to improve, foreign trade will become more and more a factor in the economy of the Miami area.

But whether it is tourism or foreign trade, the combined necessity of moving things and people, of your own population growth and of Miami's unique geographical position, all point to one dominant factor which will control your future—transportation. The character and the prosperity of Miami, 1985, will depend upon the transportation facilities it offers to both the outside world and to the three million citizens of what will then be a megalopolis south.

Now let's drop the assumptions for predictable fact. The measure of Miami's progress will be air transportation. This, I know, is one of the most air-minded cities in the world, but just in case there are any doubters here today I would like to give them a few probabilities to think about.

1. It is estimated that air travel in general will triple by 1980 and perhaps quadruple by 1985. Now, we know that our population won't increase that rapidly, so this simply means that we are tapping a new market for air travel. We are phasing out a primarily earthbound generation for one which is space-oriented. And we have today, in many of the more developed areas of the world, a mass of people who have more means and more opportunity—but no more time—to travel. The answer is air transportation.

2. Air freight is growing even more rapidly than air passenger travel. For Miami, which will probably always deal more in manufactured and fabricated products than in bulk cargo, this presents a massive opportunity for commerce to the south.

3. The air transportation industry is preparing for this expected expansion of the market for both passengers and freight with a new generation of aircraft and all the related facilities.

4. The airlines in general and Pan Am in particular are aware that getting there is but one spoke in the travel wheel. We realize that the average traveler, and particularly the vacation traveler, must be assured of the right sort of bed and board and a measure of mobility when he reaches his destination. We must begin to sell him total transportation.

In Miami, he probably won't have to worry about accommodations (at least, he won't, if you take my statistical predictions to heart), but if he's staying on the beach and wants to take his family to see Everglades National Park, he may face a problem.

In the years just ahead I think the airlines may solve this problem by adding optional local travel facilities to the air travel part of the trip.

Have I convinced you that the airplane is here to stay? I mentioned a new generation of aircraft a moment ago. Let me, very briefly, tell you what's on the shelves.

The Boeing 747 will be introduced to commercial air transportation by Pan Am some time late in December. This great, new advanced technology airplane is going to change the whole perspective of commercial aviation. For it will not only be the biggest, it will be the best commercial airliner ever produced—best in terms of passenger comfort, operational reliability, aerodynamic efficiency, flight safety, economics and general airworthiness.

To the public, understandably, the 747 is still just one big airplane. To the industry it is a qualitative achievement, the compendium of everything we have learned in 40 years of designing, building and operating all sorts of aircraft. When you have a chance to ride it, I think you will agree with me.

The aeronautical spin-off of the 747—the new, wide-bodied airbuses now building—will offer many of the same advantages as the 747 with a smaller payload, a shorter range and less commodious accomodations.

The supersonics are coming—as surely as tomorrow. You will be flying one version or another by 1980 and be trying to remember what the great debate was all about. Who was it who said that if man was meant to fly, he'd have been born with wings? An antecedent of the same man who now says that man should fly just so fast and no faster.

About all we can say of the supersonics now is that they *will* be faster. Of interest

1968 TOTAL PAYMENTS OF $60,000 AND OVER UNDER ASCS PROGRAMS (EXCLUDING PRICE SUPPORT LOANS)—Continued

Name	Address	Total payments
El Dorado Ranch, Inc	Box 607, Casa Grande, Ariz	$69,694
White Farms & Cattle Co	Box 719, Canyon, Tex	69,584
C. Ray Robinson	Box 93, Eloy, Ariz	69,382
Spencer H. Barret	Belzoni, Miss	69,343
J. R. Durrett Trusts	Box 1081, Amarillo, Tex	69,338
H. S. Mitchell	P.O. Box 98, Millington, Tenn	69,302
Kleymann Bros	Care of Frederick Kleymann, Tribune, Kans	69,275
William Hardison	P.O. Box 98, Palo Verde, Ariz	69,227
Mission Planting Co	Box 248, Ida, La	69,148
Mashburn Farms, Inc	Rural Route 5, Paris, Tex	69,012
Wagner Brothers, Inc	1126 3d St., Lewiston, Idaho	68,998
Kern Valley Farms	Box 505, Lamont, Calif	68,986
Claude P. Polston, Jr	Route 1, Box 16, Blenheim, S.C	68,958
Santa Cruz Farms, Inc	Box 998, Eloy, Ariz	68,882
Starkey & Erwin	P.O. Box 669, Avenal, Calif	68,879
John H. Spearman	Box 1000, Clovis, N. Mex	68,863
Lewis Barksdale, Jr	Route 1, Duncan, Miss	68,818
E. R. McDonald & Sons	Newellton, La	68,812
H. T. Dillahunty & Sons	Hughes, Ark	68,732
Palm Livestock Co	Elk Mountain, Wyo	68,730
Trans-Pecos Dairy	Box 1383, Pecos, Tex	68,669
William J. Asmussen	Agar, S. Dak	68,626
C. W. Neely	Box 172, Gilbert, Ariz	68,619
G. & E. Livestock, Inc	1319 Edgar St., Rock Springs, Wyo	68,586
Carl C. May	Route 2 Box 599 West Helena, Ark	68,543
J. D. Smith	109 E. 11th St., Littlefield, Tex	68,488
Talbott Sheep Co	1232 California St., Los Banos, Calif	68,456
John C. Alford	Box 28, Petersburg, Tex	68,454
S. C. Wilson & Son	Care of Shelby T. Wilson, Dundee, Miss	68,444
San Juan Ranching Co	Route 1 Box 171B, Dos Palos, Calif	68,407
Paul Battle, Jr	Box 232, Tunica, Miss	68,391
Pinal Farms, Inc	Box 728, Stanfield, Ariz	68,347
Stanley Asmussen	Agar, S. Dak	68,335
Shannon Bros. Enterprises	Box 2863 DeSoto Sta., Memphis, Tenn	68,305
X Y Ranch Co	Care of Ray Jameson, Granada, Colo	68,213
Dalton R. Pittman	4809 Camellia Ln, Shreveport, La	68,168
Mason & Godwin	Rural Route 2, Monroe, La	68,127
Ballard and Hurt	Olton Route, Plainview, Tex	68,031
Caire & Graugnard	P.O. Box 7, Edgard, La	68,028
Gaddis Farms, Inc	Raymond, Miss	67,999
Lloyd Gambrel	Box 729, Ralls, Tex	67,911
Bill St. Clair	Route 3., Muleshoe, Tex	67,870
Rlds Church	Care of Don Elefson Rlds Audit, Independence, Mo.	67,860
J. Bert Williams	Rural Route 1, Farwell, Tex	67,857
W. W. Draper, Jr	402 Mockingbird Lane, Forrest City, Ark	67,840
Delta Ranches, Inc	P.O. Box 211, Blythe, Calif	67,787
Guerra Bros	Box 38, Linn, Tex	67,554
Thomas A. Morriss-Sons	Sonora, Tex	67,508
E. K. Angeley	Route 1, Box 152, Muleshoe, Tex	67,493
Tillar & Co	Tillar, Ark	67,414
P. W. Vensel	803 West Pinkley, Collidge, Ariz	67,341
Jack Hale	Box 261, Blytheville, Ark	67,243
C. O. Pitrat & Sons	Route 1, Box 12, Laveen, Ariz	67,230
W. A. Fulford	1305 East Buckley, Brownfield, Tex	67,216
Mallory Farms	Chatfield, Ark	67,185
T. R. Joines	Rural Route 2, Abernathy, Tex	67,162
Lowarnce Bros & Co	Driver, Ark	67,002
Jack Duke	1314 Plum, Pecos, Tex	66,919
Delton Caddell	Route 1, Falls, Tex	66,823
John Smith	Box 57, Maricopa, Ariz	66,610
D. H. Dew, Jr	Eden, Miss	66,594
Charles Vonderahe	Box 215, Brawley, Calif	66,571
Barnard Bros	2902 Kingsley Lane, Bakersfield, Calif	66,515
Vernon Goodwin	Box 395, Saegraves, Tex	66,485
Morris Stuhaan	29001 Rd 48, Visalia, Calif	66,447
Lone Oak Ranch	Box 386, Corcoran, Calif	66,422
J. Kroeker Sons	30335 Orange St., Shafter, Calif	66,347
Arnold Farms, Inc	Tunica, Miss	66,311
Grady Shepard	Rural Route 1, Hale Center, Tex	66,152
G. Buster Brown	1104 North Olive Dr., Casa Grande, Ariz	66,144
Cowan Bros	LaGrange, Tenn	66,069
Allen B. Helms	Clarkedale, Ark	66,066
South Bay Growers, Inc	Box 68, South Bay, Fla	66,000
Lake Plantation	c/o L. Taylor, Jr., Hughes, Ark	65,983
Leon C. Bramlett	Rural Route 3, Box 599, Clarksdale, Miss	65,970
Byron Campbell	795 West Rockey, Raymondville, Tex	65,883
Elmer Heiskell	Rural Route 2 Box 212, Dalhart, Tex	65,815
J. C. Moore Mercantile Co	Rural Route 1, Marion, Ala	65,802
Tunney Stinnett	Elaine, Ark	65,758
M. & T., Inc	P.O. Box 308, Chico, Calif	65,707
Neil Rasor	Box 117, Royal City, Wash	65,671
Cotton Dixie, Inc	c/o J. B. Baker, Webb, Miss	65,660
Arthur P. Gumz	North Judson, Ind	65,612
Billy Wayne Sisson	114 Liveoak, Hereford, Tex	65,540
Donald E. Morris	Fortescue, Mo	65,516
E. P. Coleman, Jr	P.O. Box 250, Sikeston, Mo	65,467
Lee J. Fazzino	Rural Route 1 Box 259, Bryan, Tex	65,438
S. & P. Farms, Inc	Box 228, Gila Bend, Ariz	65,428
G. L. Morris, Jr	McCrory, Ark	65,342
Herbert C. Harris, Jr	Box K, Cherokee, Ala	65,303
Otto Steinberg	Box 242, Plainview, Tex	65,280
B. S. Baldwin & Sons	2908 McCall St., Bakersfield, Calif	65,191
Rowe & Turnbough	Box 1, Toyahvale, Tex	65,131
L. H. Woodruff	McDade, La	65,083
California Sturges Ginning Co	Box 409, Yuma, Ariz	65,056
Telles Farms	46031 West Nees, Firebaugh, Calif	65,006
Antongiovanni Bros	Route 7, Box 532, Bakersfield, Calif	65,003
Stonewall Planting Co	P.O. Box 11, Thornton, Miss	65,003
Dorris Jones	506 South White, Floydada, Tex	65,001
Oaklawn Plantation, Inc	Route 3, Box 36, Dundee, Miss	64,929
Hogue Produce Co	Box 66, Firebaugh, Calif	64,863
Kirkland & Best	P.O. Box 97, Ulmers, S.C	64,783
Carr Planting Co	O. C. Carr, Jr., Clarksdale, Miss	64,746
Pappas & Co., Inc	P.O. Box 477, Mendota, Calif	64,689
Robert F. Ashley	South Kansas City RD, La Feria, Tex	64,673
James Childress	Box 1088, Ozona, Tex	64,554
Daniel Gustafson	Box 27, Lyford, Tex	$64,456
Leonard and Henry Franz	Lind, Wash	64,428
Erma Griffith	Route 2, Morton, Tex	64,419
Bloemhof Hay Co	P.O. Box 147, Buttonwillow, Calif	64,416
McIntosh & Sons	2034 14th St., Lewiston, Idaho	64,174
Robert Devin	603 Southeast 2d, Tulia, Tex	64,109
Dolph Briscoe, Jr	Box 389, Uvalde, Tex	64,076
Emmett Jobe	Route 1, Box 53, Queen Creek, Ariz	64,041
Kriesant Operating Co., Inc	Box 125, Mendota, Calif	64,008
W. W. Boswell, Jr	700 Whitley Av. Corcoran, Calif	64,001
J. O. Thompson	Route 1, Box 482, Casa Grande, Ariz	63,988
M. & V. Farms	P. O. Box 82, Ehrenberg, Ariz	63,895
Runnymede Plantation	Box 277, Itta Bena, Miss	63,887
Warren Spikes	Hugoton, Kans	63,863
Bonanza Farms	2612 Elm St., Bakersfield, Calif	63,773
Green River Ls Co	Box 431, Green River, Wyo	63,764
Milo Erwin	6082 East Butler, Fresno, Calif	63,763
Herbert Friemel	Route 1, Canyon, Tex	63,761
W. T. Jamison, Jr	Tiptonville, Tenn	63,746
Sloan Osborn	Route 2, Friona, Tex	63,689
OV Land Co	P.O. Box 1088, Clewiston, Fla	63,661
John W. Dawson	Rural Route 3, Hawkinsville, Ga	63,634
J. R. Stump	Box 851, Elsa, Tex	63,626
Sebastian Cotton & Grain Corp	Box 104, Sebastian, Tex	63,597
Jack Hart	Gruver, Tex	63,582
H. T. Bonds	Route 1, Shelby, Miss	63,579
W. W. & Earl Cochran	Portland, Ark	63,562
DiGiorgio Fruit Corp	Box 308, DiGiorgio, Calif	63,561
P. Hansen Ranch	P.O. Box 295, Corcoran, Calif	63,410
Edward Trotter	Rural Route 2, Box 745, Greenville, Miss	63,353
Frank T. Brumfield	Inverness, Miss	63,339
Asbury Wright	Pinehurst, Ga	63,306
C. & W. Ranches, Inc	Star Route Box 17, Marana, Ariz	63,276
Porter Land Co	Box 393, Bakersfield, Calif	63,270
Stonner Brothers	Miami, Mo	63,173
H. B. Barker	602 East Lincoln, Morton, Tex	63,131
Wood-Sanderlin Farm	Crumrod, Ark	63,107
John Valpredo	Rural Route 2, Box 460, Bakersfield, Calif	63,069
Everett Wiseman	Vega, Tex	63,007
Grady Windle Parker	Box O, Courtland, Ala	62,974
Robert Caldwell	8265 W. Annadale, Fresno, Calif	62,970
Opal Fry & Sons	Rural Route 2 Box 403, Bakersfield, Calif	62,916
Knapp Farms	Box 205, Weslaco, Tex	62,915
Shotwell Plantation, Inc	Rural Route 1, Tchula, Miss	62,909
L. J. Barksdale, Sr	Marks, Miss	62,903
Bryants, Inc	Bartow, Ga	62,861
P. S. Thompson	Box 787, Eloy, Ariz	62,810
Barling Bros	640 G St., Wasco Calif	62,795
Robert D. Bechtel	2020 S. 9th St., Coolidge, Ariz	62,762
Robert W. Brooks	Box 431, Queen Creek, Ariz	62,756
E. H. Clarke & Co	Hughes, Ark	62,730
Milton Addison	1015 E. Tate, Brownfield, Tex	62,724
Sigmon Planting Co	Sherard, Miss	62,694
Ralph W. Shelton	Box 726, Friona, Tex	62,612
Quinn Bros	Salisbury, Mo	62,590
Clements Corp	Box 304, Plainview, Tex	62,589
Elmo Stephens	Olton Rt, Plainview, Tex	62,579
Self & Co	Marks, Miss	62,548
Dale Steele	Ford, Kans	62,539
D. E. Reynolds, Jr	Glendora, Miss	62,519
Raymond Brown & J. M. Brown	Anguilla, Miss	62,501
C. Bruce Mace Ranch, Inc	Box 190, Davis, Calif	62,476
Lynchfield Planting Co	Tchula, Miss	62,439
R. L. Pillow	Box 128, Itta Bena, Miss	62,402
C. C. & Jack Harbison	Route 1, Mercedes, Tex	62,378
Guthrie Farming Co	20210 Ave 176, P'ville, Calif	62,332
D. H. Dew, Sr	Eden, Miss	62,311
Rufus C. Branch	Joiner, Ark	62,291
Dudley Pillow, Sr	Greenwood, Miss	62,273
Hatton Brothers, Inc	Drawer 558, Pahokee, Fla	62,273
O. F. Gremaud	Rural Route 3, Perryville, Mo	62,271
Dessert Seed Co., Inc	P.O. Box 181, El Centro, Calif	62,266
Buckshot Farms, Inc	Box 428, Stanfield, Ariz	62,252
Hawk & Sperber	Box 847, Hotlville, Calif	62,207
Billy Ray McInroe	RFD 2, Levelland, Tex	62,129
Marshall Cator	Box T, Sunray, Tex	62,064
Alex Curtis	602 S Deer Creek Dr., W. Leland, Miss	61,957
Gordon Bros	P.O. Box 366, Tranquillity, Calif	61,915
Poplar Grove Pltg/Ref. Co	Route 2 Box 69, Point Allen, La	61,907
H. H. Twiford	Alligator, Miss	61,824
John C. Reistino	1002 San Jose St., Hearne, Tex	61,768
Carr-Mascot Pltn. Inc	Rural Route 2 Box 161, Clarksdale, Miss	61,709
F. E. Motley	424 N. Glover, Hollis, Okla	61,668
R.R. Rhymes Farm	Rural Route 5, Rayville, La	61,668
J. R. Flautt & Sons	Swan Lake, Miss	61,656
Green Top Farms, Inc	Route 4, Richmond, Mo	61,584
L. L. Lawson	3307–43rd Street Lubbock, Tex	61,555
J. S. Hoopes	Route 1 Box 115, Chandler, Ariz	61,540
D. D. McColl	Box 748, St. Pauls, N. C	61,512
J. Antongiovanni	191 Oleander Ave., Bakersfield, Calif	61,445
Vernon Swearingen	11050 West Mountain Whitney, Riverdale, Calif.	61,429
Mauldin Mauldin	2753 Maple, Yuma, Ariz	61,412
Beers Bros	Tyler, Ala	61,411
Leslie H. Laffere	Box 1504, Uvalde, Tex	61,347
W. H. Haggard, Jr	Route 1, Box 35, Buckeye, Ariz	61,313
R. Creecy & T. Tate	Rural Route 2, Box 446, Osceola, Ark	61,298
G. H. Barker	Marks, Miss	61,294
Sugarland Industries, Inc	Box 45, Sugarland, Tex	61,259
Dick Sheffield	Webbers Falls, Okla	61,252
Panetta & Loftis	12771 Road 112, Tipton, Calif	61,252
James O. Payne	Star Route Box 96, Wasco, Calif	61,228
Diamond Ring Ranch	1745 Lynwood Pl., Casper, Wyo	61,224
Reyher Farms	Care of Herb Reyher, Pres., McClave, Colo	61,178
P. K. McGregor	Inverness, Miss	61,169
Charles E. Lynch	B'ville, S.C	61,106
Pi-Land & Cattle Co	Route 2, Box 368, Blythe, Calif	61,050

1968 TOTAL PAYMENTS OF $60,000 AND OVER UNDER ASCS PROGRAMS (EXCLUDING PRICE SUPPORT LOANS)—Continued

Name	Address	Total payments
J. N. Osterkamp Ranches	445 South Rio Vista, Brawley, Calif	$61,039
Coyne E. Killian	Star Route, Lorenzo, Tex	61,002
M. B. M. Farms	1315 West Palm Lane, Phoenix, Ariz	60,973
Harp & Hansen	Post Office Box 295, Corcoran, Calif	60,961
Larry Woodard Farms, Inc	Box 477, Lepanto, Ariz	60,951
Taylor Bros	Essex, Mo	60,928
T. C. Buford	Glendora, Miss	60,904
Sunshine Valley Ranches	Box 788, Eloy, Ariz	60,786
M. I. Vance & J. A. Mortensen, Jr	Route 2, Box 550, Tempe, Ariz	60,724
George Gabel	Dimmitt, Tex	60,712
Nash Bros	Redstone, Mont	60,665
Dowco Land Co	432 28th St., Cairo, Ill	60,655
Billy Joe Waldrup	Drew, Miss	60,589
W. J. Denton Estate	In care of Ruby C. Denton, Executrix, Wilson, Ark.	60,564
Paul Morgan	707 North 18th, Lamesa, Tex	60,549
J. Allen Baker Farms	25 NW. Ave G, Belle Glade, Fla	60,547
B. C. Rhyne	Benton, Ala	60,547
Rex Neely	483 N. Jay St., Chandler, Ariz	60,542
George H. Moore	Rural Route 3, Canton, Miss	60,520
Otis Whitlock	Box 113, Bostwick, Ga	60,502
Meacham Land & Cattle Co	Lapwai Ind	60,471
W. T. Helbert	Rural Route 2 Box 109-B, Lorena, Tex	60,466
J. R. Tucker	Route 1, Box 122, Buckeye, Ariz	60,459
Thomas A. & Charles O'Neal	Route 1, Blenheim, S.C	$60,448
M. L. Dudley & Co	515 North Harrison, Fresno, Calif	60,420
Odell J. Wilson	Rural Route 3, Holly Springs, Miss	60,417
M. H. Rich, Jr	Chatham, Miss	60,401
Marchini Bros	P.O. Box 1, Tranquillity, Calif	60,399
Trans Pecos Farms, Inc	Box 1210, Pecos, Tex	60,395
B. N. Word Co., Inc	Wabbaseka, Ark	60,372
Doe Cattle & Land Co	P.O. Box 401, Visalia, Calif	60,370
James U. Yeldell, Jr	Mer Rouge, La	60,368
J. B. Pollock	Box 238, Hargill, Tex	60,360
Gus Pugh Sons, Inc	Portland, Ark	60,244
Porter & Wentz, Inc	P.O. Box 870, Brownsville, Tex	60,237
Lipe Farms, Inc	In care of George Lipe, Indianola, Miss	60,221
W. J. Linn	Rural Route 3, Houston, Miss	60,219
S. E. Lowrance Ranch	Box 36, Tranquillity, Calif	60,175
Ed Wiest	133 West J St., Brawley, Calif	60,154
Floyd Robbs	Box 905, Willcox, Ariz	60,135
Lloyd M. Hale	Rural Route 1, Tulia, Tex	60,116
A. A. Mabus	Phillip, Miss	60,084
Ganier Bros	Hollandale, Miss	60,050
Millhaven Co	J. K. Boddiford, Manager, Route 1, Sylvania, Ga.	60,041
H. Fox Tindal	Pinewood, S.C	60,018
Arthur B. Stavlo	Box 272, Sunray, Tex	60,000

DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1970—AMENDMENTS

AMENDMENTS NOS. 53 AND 54

Mr. WILLIAMS of Delaware. Mr. President, I submit two amendments intended to be proposed by me to the Department of Agriculture appropriation bill. The purpose of the first amendment is to restore the language of the House bill, which would place a limit of $20,000 on the payments to any one individual or operator.

The argument has been made by some persons connected with the Department and persons who defend the large payments that if this $20,000 limitation is included in the bill then due to a so-called snap-back provision in the law payments would revert to another program, which could result in equally high cost to the Treasury. I disagree with that reasoning. In my opinion it is only a last minute gasp of those who see this boondoggle program facing defeat. Nevertheless, rather than dispute that point, which can so easily be settled, I submit another amendment, intended to be proposed by me which would merely repeal the snap-back and thereby make certain that all the money saved by the amendment would be returned to the American taxpayers.

The PRESIDING OFFICER. The amendments will be received and printed and will lie on the table.

Mr. WILLIAMS of Delaware. I ask unanimous consent that both amendments be printed in the RECORD.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT No. 53

On page 23, line 14, insert the following: "*Provided further*, That no part of the funds appropriated by this Act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any producer on any crop planted in the fiscal year 1970."

AMENDMENT No. 54

On page 23, at the end of line 19, add a new paragraph as follows:

"Section 103(d)(12) of the Agricultural Act of 1949, as amended, is hereby repealed."

FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969

The Senate resumed the consideration of the bill (S. 1708) to amend title 1 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

Mr. JACKSON. Mr. President, when the Senate last considered the pending measure, S. 1708, the distinguished Senator from Wisconsin (Mr. PROXMIRE) desired an opportunity to review the proposed legislation and to consider offering amendments. I understand that the Senator from Wisconsin has two amendments that he will offer at this time.

Mr. PROXMIRE. Mr. President, 2 weeks ago I spoke at some length about S. 1708, a bill which would amend the Land and Water Conservation Fund Act. S. 1708 would make it possible for States or their political subdivisions to acquire surplus Federal property at from zero percent to 50 percent of fair market value where the property is to be used for recreational purposes.

Today I should like to offer to the Senate two amendments to S. 1708 which I believe would strengthen the bill considerably. Both amendments are designed to insure that when property is conveyed under the bill, the interests of the Federal Government will be fully protected.

I send to the desk the first amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 5, line 8, it is proposed to insert the following after Secretary of the Interior: "*Provided, however*, that the determination of the Administrator of the General Services Administration and the recommendation of the Secretary of the Interior shall not become effective until 60 calendar days after the proposed conveyance under this subsection has been submitted to the Senate and the House of Representatives respectively, neither House of Congress having recommended disapproval of the conveyance in the interim."

Mr. PROXMIRE. Mr. President, both amendments are the product of a lengthy discussion with former Senator Wayne Morse, of Oregon, who, as we all know, played such a fine role in the Senate in fighting for the Morse formula throughout the years.

The first amendment would be attached as a proviso to subsection (2) of S. 1708. Subsection (2) provides that surplus Federal property may be acquired by the States and municipalities at 0 percent to 50 percent of fair market value, the percentage to be determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior. While I have great regard for both of these offices, I believe that some degree of control over the conveyance of surplus Federal property should remain vested in the Congress. After all, up until now, Congress has held 100-percent control over these transfers of property. It seems appropriate, therefore, that in giving GSA and the Secretary of the Interior authority to determine the percentage under subsection (2) that Congress should at least retain a final power of disapproval over the executive decision. Accordingly, I am introducing an amendment to S. 1708 which provides that the GSA determination and the Interior Department's recommendation shall not become operative until 60 days after the proposed conveyance has been submitted to both Houses of Congress, with neither House having disapproved the conveyance in the interim 60 days.

Mr. JACKSON. Mr. President, I have discussed this amendment with the able and distinguished Senator from Wisconsin, and I am in a position to accept it. I think the amendment will be helpful in monitoring the administration of this program. I see no objection to it at this time; however, there may be a constitutional question that will have to be ironed out in conference. I hope it will be acceptable to the executive branch in the present form.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I have one other amendment which I send to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 5, line 14, insert the following: "*Provided,* That where the property to be conveyed includes valuable improvements constructed by the federal government, the improvements shall be appraised separately for their recreational potential and in no event may the acquisition cost under subsection (1)–(3) of this section be based upon less than 50% of the recreational value of these improvements."

Mr. PROXMIRE. Mr. President, my second amendment would be attached as a proviso to subsections (1)–(3) of S. 1708. It would require a separate valuation of improvements on Federal surplus property. During the period of Federal ownership, the Federal Government may have put valuable improvements on the land, built roads, dug sewers, and the like. It is entirely reasonable that the costs of these improvements be separately valued, and my second amendment would require just that.

Mr. JACKSON. Mr. President, I think this is a reasonable and helpful amendment. The land should be appraised separately and apart from the improvements. In any event, the Department of Interior will have to make a finding on the suitability of both the land and improvements for recreational and park purpose needs.

I am, therefore, happy and pleased to accept the amendment.

The Senator from Wisconsin has been most cooperative and as always, has conscientiously, gone into this matter. As a result, we have these two amendments today. I wish to compliment him for helping in the pasage of the bill.

Mr. PROXMIRE. Mr. President, before final action is taken on the bill I wish to say to the distinguished Senator from Washington that he has done a marvelous job throughout the years in areas of conservation. I believe this bill will help improve substantially in this area. It is an excellent bill and I am delighted that he has been so helpful to me. He is extremely competent in this area and assisted me in drafting the amendments which I think improve the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. HART. Mr. President, for some time I have been concerned about the whole problem of our surplus property disposal program. I believe we need a fresh look at the act and an examination of the purposes for which surplus Federal land may be acquired by States and their political subdivisions at discounted prices.

Most importantly, we should analyze in the light of today's world, the purposes for which such land may be acquired at reduced or no cost. Much as we revere historic monuments, my view would be that a no less worthy purpose would be to permit cities to acquire surplus Federal real property for public housing.

For example, Mayor Cavanagh, of Detroit, called my attention to the following situation: after the Detroit riots, the city was authorized to use certain of the old Fort Wayne facility for temporary housing. The Federal Surplus Property Division has now told the city that it must plan to vacate unless it wants to buy or lease the housing. Either purchase or lease would be at full market value, according to GSA.

The mayor suggested, and I agree, that if, in fact, the Federal Surplus Property Act does not include housing as one of the purposes for which a municipality would be eligible to purchase at less than market value, an amendment to the act should be sought which would include public housing.

This housing position strikes me as one that is worthy of prompt exploration and I am presently working on such an amendment.

My preference, if I could choose, would therefore be to vote today on a broader revision of priorities than proposed in S. 1708. Since we are not offered that opportunity today and since I would certainly want to include parks and recreation as an eligible purpose, I will vote for the bill—hoping that we may in this Congress be given the opportunity to examine the larger picture in the light of today's pressing social and economic needs.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram I have received from the Governor of my State, the Honorable Daniel J. Evans.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

OLYMPIA, WASH., *June 12, 1969.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D.C.:

I understand that S. 1708 will be debated on floor tomorrow. Would like to present my views as Governor of Washington in support of bill.

Need and demand for recreation areas and facilities is increasing at alarming rate. Even in State of Washington, where we feel we have recreational opportunities second to none, need for additional areas and facilities is overwhelming. Washington's statewide comprehensive outdoor recreation and open space plan states that estimated two billion dollars expenditure by all agencies, both public and private, involved in providing recreation opportunities is required to meet present needs, and by 1975 additional one-half billion dollars will be needed. Acquisition costs estimated to be 1.3 billion of this total. Last year, over 20 million people visited State parks in State of Washington. Ability of State and local agencies to acquire Federal surplus properties for park and recreational purposes at no cost would greatly enhance their ability to meet increasing demands.

Cannot close without taking opportunity to comment on how act would assist city of Seattle and enhance its opportunity for reacquiring Fort Lawton as much-needed major urban park when it is declared surplus by Federal Government.

With these comments let me reiterate my position by stating that we in State of Washingon strongly favor provisions of Senate Bill 1708 and urge Congress to enact legislation for recreational well being of its citizens.

DANIEL J. EVANS,
Governor of Washington State.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1708) was passed, as follows:

S. 1708

An act to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Lands for Parks and Recreation Act of 1969".

SEC. 2. Section 2(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (effective March 31, 1970, section 2(b) becomes section 2(a) pursuant to the provisions of Public Law 90–401, July 15, 1968), is further amended by deleting the last sentence and adding the following new paragraphs:

"*Provided, however,* That, notwithstanding the provisions of the Surplus Property Act of 1944, as amended, and the Federal Property and Administrative Services Act of 1949, as amended, States and their political subdivisions may acquire until June 30, 1973, from the United States for public park and recreation purposes surplus Federal real property together with such improvements, equipment, and related personal property that the Secretary of the Interior has recommended to, the Administrator of the General Services Administration for such acquisition based upon the suitability of the property for park and recreational uses; the accessibility of the property to major population centers; the need for park and recreation facilities in the immediate geographical area, as identified in the comprehensive statewide outdoor recreation plan required under section 5(d) of this Act; and the highest and best use of the property taking into consideration the need of future generations for parks, open spaces, and recreational opportunities. Conveyances of such property for park or recreational purposes shall be in accordance with one of the following methods as determined by the State or political subdivision thereof:

"(1) Where the State or its political subdivision originally donated the property to the United States, the surplus Federal property may be reacquired without the payment of any consideration; or

"(2) Where a State or its political subdivision so elects, the surplus Federal property may be acquired at zero to 50 per centum of the fair market value, as determined by the Administrator of the General Services Administration in accordance with the recommendations of the Secretary of the Interior: *Provided, however,* That the determination of the Administrator of the General Services Administration and the recommendation of the Secretary of the Interior shall not become effective until sixty calendar days after the proposed conveyance under this subsection has been submitted to the Senate and the House of Representatives respectively, neither House of Congress having recommended disapproval of the Conveyance in the interim; or

"(3) Where the United States paid valuable consideration for the property to the State or its political subdivisions, or to any person, the State, or its political subdivision may acquire the surplus Federal property upon the payment of the cost to the United States at the time of such acquisition: *Provided,* That where the property to be conveyed includes valuable improvements constructed by the Federal Government, the

improvements shall be appraised separately for their recreational potential.

"Deeds conveying any surplus real property disposed of under this authority shall be issued by the General Services Administration and shall provide that the property shall be used and maintained for the purpose for which it was conveyed, and, in the event that such property ceases to be used or maintained for such purposes, such property shall at the option of the Secretary revert to the United States. The deeds may also contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interest of the United States. The Secretary of the Interior may exercise all of his existing authorities under section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended, as to property transferred under this Act. The State and their political subdivisions shall compensate the United States for the administrative costs of surplus property transfers made pursuant to this Act."

"The Secretary of the Interior is directed to prepare and publish guidelines and regulations for implementing the provisions of this Act.

"Except as provided in this section, nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus Federal property to schools, hospitals, States, and their political subdivisions."

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEPARTMENTS OF THE TREASURY AND POST OFFICE, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATIONS, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 270, H.R. 11582. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 11582) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, to clarify the situation, it is anticipated that we will dispose of the appropriation bill for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies on Monday, and that on Monday evening we will lay before the Senate H.R. 11612, an act making appropriations for the Department of Agriculture and related agencies.

It is hoped that also on Monday we will be able to get to some minor bills—that is, minor in comparison with appropriations bills.

It is anticipated that on Tuesday and Wednesday the Senate will be taking up the appropriation bill for the Department of Agriculture; and that no votes will be taken on amendments—and there will be some very important amendments—until the Senate returns on Monday, July 7.

The distinguished Senator from Delaware (Mr. WILLIAMS) has already indicated he intends to offer two amendments having to do primarily with the limitation on payments to farmers for taking land out of production.

I would hope that the Senate would be aware of the importance of the debate which will occur on these two most significant appropriation bills on Monday, Tuesday, and Wednesday. Especially, I would hope that the Senate will be fully aware that on Monday, July 7, after its return from the 1-day recess over the Fourth of July, there will be votes on very important amendments that affect all Members of this body. For the benefit of the Senate, the Senator from Delaware has already had incorporated in the RECORD today two proposals he intends to offer.

Mr. President, I think that covers the situation so far as I can do so at this time.

It is my understanding that the distinguished Senator from Wisconsin (Mr. PROXMIRE), the distinguished Senator from Virginia (Mr. BYRD), and the distinguished Senator from Michigan (Mr. HART) have statements of varying lengths that they wish to make this afternoon.

As far as further legislation is concerned, at this time I am unable to give any clear indication to the Senate that there will be any consideration of such legislation later this afternoon.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate until noon on Monday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives and that they may be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that during this period all committees may file reports, together with individual, minority, or supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

SALARY INCREASES

Mr. BYRD of Virginia. Mr. President, yesterday the distinguished majority leader indicated that after disposition of the business then pending, the Senate would proceed to the consideration of H.R. 7206, the bill providing salary increases for the Vice President and certain officers of the Senate. I understand now that this legislation will not come up until after the July 4 recess.

In January I opposed the doubling of the President's salary and I opposed the increasing of congressional salaries by 41 percent and judicial salaries by 35 percent to 40 percent. I shall oppose the additional increase for officers of the Congress and the legislation to increase the salary of the Vice President by 45 percent.

At a time when we are experiencing severe inflation, it is particularly inappropriate for the Government to set the bad example of approving large increases in salaries in its own top echelons.

I do not think that we can ask there be restraint in wages and prices in the private sector, while we in Government approve such large salary boosts for top officials.

The proposed legislation now on the calendar concerning the salary of the Vice President of the United States, increasing his salary from $43,000 to $62,500, brings to mind another matter to which I invite the attention of the Senate.

It has come to my attention that officials of certain corporations created by the Department of Defense, or by the military services and supported by Department of Defense funds, are being compensated at extremely high rates without congressional approval.

Let us discuss for a moment the Aerospace Corp., created by the Department of Defense, which has a federally funded budget of more than $70 million.

Of 14 senior executives of the Aerospace Corp., 12 are paid more than $42,500. The president of the corporation receives $97,500. A senior vice president receives $70,000. One vice president and operations general manager receives $65,000. Another receives $58,000. One vice president and associate general manager receives $55,000. Seven other officers of the Aerospace Corp. are paid salaries ranging from $44,000 to $50,500.

In addition to these executives, six professional and technical employees are paid more than $42,500.

In fiscal year 1969, the operating budget of the Aerospace Corp. was $74,272,000. The entire amount came from Department of Defense funds. It seems clear to me that Congress should have a veto power over salaries at Aerospace and similar Government-created corporations.

The board of trustees of the Aerospace Corp. was appointed by the Department of the Air Force and is a self-perpetuating board. It seems to me that those

91st CONGRESS
1st Session

S. 1708

IN THE HOUSE OF REPRESENTATIVES

June 27, 1969

Referred to the Committee on Interior and Insular Affairs

AN ACT

To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Federal Lands for Parks
4 and Recreation Act of 1969".

5 Sec. 2. Section 2 (b) of the Land and Water Conserva-
6 tion Fund Act of 1965 (78 Stat. 897), as amended (effec-
7 tive March 31, 1970, section 2 (b) becomes section 2 (a)
8 pursuant to the provisions of Public Law 90–401, July 15,
9 1968), is further amended by deleting the last sentence and
10 adding the following new paragraphs:

11 "*Provided, however,* That, notwithstanding the provi-

1 sions of the Surplus Property Act of 1944, as amended,
2 and the Federal Property and Administrative Services Act
3 of 1949, as amended, States and their political subdivisions
4 may acquire until June 30, 1973, from the United States
5 for public park and recreation purposes surplus Federal real
6 property together with such improvements, equipment, and
7 related personal property that the Secretary of the Interior
8 has recommended to the Administrator of the General Serv-
9 ices Administration for such acquisition based upon the suit-
10 ability of the property for park and recreational uses; the
11 accessibility of the property to major population centers; the
12 need for park and recreation facilities in the immediate geo-
13 graphical area, as identified in the comprehensive statewide
14 outdoor recreation plan required under section 5 (d) of this
15 Act; and the highest and best use of the property taking
16 into consideration the need of future generations for parks,
17 open spaces, and recreational opportunities. Conveyances of
18 such property for park or recreation purposes shall be in
19 accordance with one of the following methods as determined
20 by the State or political subdivision thereof;
21 "(1) Where the State or its political subdivision
22 originally donated the property to the United States, the
23 surplus Federal property may be reacquired without the
24 payment of any consideration; or

1 "(2) Where a State or its political subdivision so
2 elects, the surplus Federal property may be acquired at
3 zero to 50 per centum of the fair market value, as de-
4 termined by the Administrator of the General Services
5 Administration in accordance with the recommendations
6 of the Secretary of the Interior: *Provided, however,* That
7 the determination of the Administrator of the General
8 Services Administration and the recommendation of the
9 Secretary of the Interior shall not become effective until
10 sixty calendar days after the proposed conveyance under
11 this subsection has been submitted to the Senate and the
12 House of Representatives respectively, neither House of
13 Congress having recommended disapproval of the con-
14 veyance in the interim; or
15 "(3) Where the United States paid valuable con-
16 sideration for the property to the State, its political sub-
17 divisions, or to any person, the State or its political
18 subdivision may acquire the surplus Federal property
19 upon the payment of the cost to the United States at the
20 time of such acquisition: *Provided,* That where the prop-
21 erty to be conveyed includes valuable improvements con-
22 structed by the Federal Government, the improvements
23 shall be appraised separately for their recreational
24 potential.

1 "Deeds conveying any surplus real property disposed
2 of under this authority shall be issued by the General
3 Services Administration and shall provide that the prop-
4 erty shall be used and maintained for the purpose for
5 which it was conveyed, and, in the event that such prop-
6 erty ceases to be used or maintained for such purposes,
7 such property shall at the option of the Secretary revert
8 to the United States. The deeds may also contain such
9 additional terms, reservations, restrictions, and condi-
10 tions as may be determined by the Administrator to be
11 necessary to safeguard the interest of the United States.
12 The Secretary of the Interior may exercise all of his
13 existing authorities under section 203 (k) of the Federal
14 Property and Administrative Services Act of 1949, as
15 amended, as to property transferred under this Act. The
16 State and their political subdivisions shall compensate
17 the United States for the administrative costs of surplus
18 property transfers made pursuant to this Act."
19 "The Secretary of the Interior is directed to prepare and
20 publish guidelines and regulations for implementing the pro-
21 visions of this Act.
22 "Except as provided in this section, nothing in this Act

1 shall affect existing laws or regulations concerning disposal of
2 real or personal surplus Federal property to schools, hospi-
3 tals, States, and their political subdivisions."

Passed the Senate June 26, 1969.

Attest: FRANCIS R. VALEO,
Secretary.

91st CONGRESS
1st Session

S. 1708

AN ACT

To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes.

June 27, 1969

Referred to the Committee on Interior and Insular Affairs

H. R. 15813

A BILL

91st CONGRESS
2d Session

H. R. 15913

IN THE HOUSE OF REPRESENTATIVES

February 16, 1970

Mr. Aspinall (by request) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 2 of the Land and Water Conservation Fund
4 Act of 1965 (78 Stat. 897), as amended effective March
5 31, 1970 (16 U.S.C. 4601–5), is further amended as follows:
6 (a) Subsection (a) is amended by deleting the last
7 sentence, by changing the period at the end of the first sen-
8 tence to a colon, and by adding the following: "*Provided,*
9 That in lieu of disposal under the Federal Property and Ad-
10 ministrative Services Act of 1949, as amended, of any sur-
11 plus real property and related personal property that the

1 Secretary of the Interior certifies is needed and suitable for
2 public park or recreation uses, suitability being determined
3 in the light of the highest and best use of the property under
4 present and foreseeable needs, such property shall be trans-
5 ferred by the Administrator of General Services to the Secre-
6 tary of the Interior, on request of the Secretary; and in fur-
7 therance of the purposes of this Act the Secretary is author-
8 ized to sell such property to any State, territory or posses-
9 sion of the United States, the District of Columbia, the Com-
10 monwealth of Puerto Rico, any political subdivision or in-
11 strumentality thereof, or municipality for a price deter-
12 mined by the Secretary after taking into consideration any
13 benefit that has accrued or may accrue to the United States
14 from the use of the property by the purchaser. The deed of
15 conveyance—

16 "(1) shall provide that the property shall be used
17 and maintained for the purpose for which it was con-
18 veyed in perpetuity, and that in the event that such
19 property ceases to be used or maintained for such pur-
20 pose all or any portion of such property shall in its then
21 existing condition, at the option of the Secretary of the
22 Interior, revert to the United States; and

23 "(2) may contain such additional terms, reserva-
24 tions, restrictions, and conditions as may be determined

1 by the Secretary of the Interior to be necessary to safe-
2 guard the interests of the United States.
3 As soon as practicable after the close of each fiscal year the
4 Secretary shall submit to the Congress a report showing
5 the acquisition cost of all real property sold during that year,
6 the sales prices, and the bases on which the sales prices were
7 determined."
8 (b) Subsection (c), clause (2), is amended by chang-
9 ing the period at the end thereof to a colon and adding:
10 "*Provided further*, That the foregoing amount of $200,000,-
11 000 in this clause and in clause (1) shall be increased by an
12 amount equal to the net proceeds placed in the fund from
13 the sale of surplus property and related personal property in
14 excess of $54,700,000 in any one year."

91st CONGRESS
2d Session

H. R. 15913

A BILL

To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes.

By Mr. Aspinall

February 16, 1970

Referred to the Committee on Interior and Insular Affairs

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HIGHLIGHTS: Rules Committee granted rule for consideration of golden eagle program bill. Rep. Melcher questioned "inequities and costs" of proposed set-aside farm program. Rep. May defened beef producers against charge that meat prices are kept artifically high.

HOUSE

1. RECREATION. The Rules Committee reported a resolution for the consideration of S. 2315, to restore the golden eagle program to the Land and Water Conservation Fund Act. p. H3615

2. ENVIRONMENT. The Rules Committee reported H. J. Res. 1117, to establish a Joint Committee on Environment and Technology (H. Rept. No. 91-1031). p. H3615

3. PROPERTY; RECREATION. The Interior and Insular Affairs subcommittee approved for full committee action H. R. 15913 amended, to amend title I of the Land and Water Conservation Fund of 1965 to authorize the use of surplus property for public park or recreation uses. p. D409

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4. CLEAN AIR. The Interstate and Foreign Commerce Committee subcommittee approved for full committee action H. R. 17255, to amend the Clean Air Act to provide for a more effective program to improve the quality of the Nation's air. p. D409

5. HOUSING. Rep. Barrett deplored the continued rise of mortgage rates and the housing policy of this administration. p. H3530

6. FARM PROGRAM. Rep. Melcher expressed concern about the "potential inequities and costs of the set-aside proposal which the Department of Agriculture has tentatively 'sold' to the House Agriculture Committee", and inserted a report, "Economic Aspects of Administration's Proposed Set-Aside Farm Program." pp. H3578-9

7. BUDGET. Received an amendment to the request for appropriations transmitted in the budget for the fiscal year 1971 involving a decrease for the Department of the Interior (H. Doc. 327); to Appropriations Committee. p. H3614

8. FORESTS. Received from this Department a draft of proposed legislation to modify the boundaries of the Coeur d'Alene, Nezperce, Payette, Boise, Sawtooth, and Targhee National Forests in the State of Idaho; to Interior and Insular Affairs Committee. p. H3614

BILLS INTRODUCED

9. MEAT INSPECTION. H. R. 17276, by Rep. Berry, to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations; to Agriculture Committee.

10. LAND-USE. H. R. 17299, by Rep. Thomson, Wisc., to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization; to Agriculture Committee.

11. MEAT IMPORTS. H. R. 17300, by Rep. Thomson, Wisc., to include prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products; to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 per centum to 100 per centum; to Ways and Means.

12. HOUSING. H. R. 17302, Widnall, to increase the availability of mortgage credit for the financing of urgently needed housing; to Banking and Currency Committee. Remarks of author pp. H3580-1

13. WILDLIFE. H. R. 17305, Chappell, to prohibit the movement in commerce of certain crocodilian hides; to Interstate and Foreign Commerce Committee.

EXTENSION OF REMARKS

14. CONSUMERS. Rep. Mikva inserted Rep. Eckhardt's statement on consumer class action. pp. E3676-9

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HIGHLIGHTS: House rejected resolution disapproving Reorganization Plan No. 2. Sen. Miller inserted article discussing agricultural policy of Common Market. Sen. Miller introduced and discussed bill to revise quota-control system on meat imports.

SENATE

1. NATIONAL SEASHORE. Passed with amendments S. 2208, to authorize a study concerning establishment of Lake Tahoe as a national seashore. pp. S7065-7

2. LAND CLAIMS. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendments S. 1830, providing for settlement of land claims of Alaska natives. p. D476

3. INTERNATIONAL EXPOSITIONS. Agreed to House amendment to S. 856, to provide for U. S. participation in international expositions held in the U. S., raising to $200,000 the maximum appropriation to carry out the purposes of the act. This bill will now be sent to the President. p. S7100

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4. FOOD; EXPORTS. Sen. Miller inserted a lengthy report which discusses the common agricultural policy of the Common Market and its implications for U. S. agricultural exports, "Less American Food for Europe; Growing Disillusion With The Common Market." pp. S7113-6

HOUSE

5. APPROPRIATIONS. The Rules Committee reported a resolution providing for consideration of H. R. 17575, making appropriations for the Depts. of State, Justice, and Commerce, and the Judiciary. p. H4306

6. IMPORTS. The Ways and Means Committee reported H. R. 17241, continuing the suspension of duties on certain forms of copper (H. Rept. No. 91-1079); H. R. 14720, continuing the suspension of duties on manganese ore (H. Rept. No. 91-1077); and with amendment H. R. 8512, to suspend for a temporary period the import duty on L-Dopa (H. Rept. No. 91-1076). p. H4367

7. WORKING FUND. The Ways and Means Committee reported H. R. 16199, establishing a working capital fund for the Treasury Dept. (H. Rept. No. 91-1078). p. H4367

8. ENVIRONMENT. The Goverment Operations Committee issued a report, "The Environmental Decade (Action Proposals for the 1970's)" (H. Rept. No. 91-1082). p.H4367

9. PERSONNEL. The Post Office and Civil Service Committee reported H. R. 16968, adjusting the Government contributions to the health benefits program for Federal employees and annuitants (H. Rept. No. 91-1084). p. H4367

10. INFORMATION; STATISTICS. The Post Office and Civil Service Committee issued a report, "Statistical Activities of the Federal Government, 1969" (H. Rept. No. 91-1085). p. H4367

11. TRADE FAIRS. Both Houses received the annual report on U. S. participation in trade fairs in 1969. p. H4306, S7061

12. AIRPORTS; USER FEES. Agreed to the conference report on H. R. 14465, providing for the expansion and improvement of airports and the airway system and for the imposition of user charges. This bill will now be sent to the President. pp. H4306-12

13. REORGANIZATION. Rejected, 164 to 193, H. Res. 960, disapproving Reorganization Plan No. 2. pp. H4312-47

14. CONSERVATION; POLLUTION. Rep. Schwengel announced intent to introduce legislation to aid farmers in conservation and pollution abatement practices. p. H4365

The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment, H. R. 15913, to amend the Land and Water Conservation Fund Act of 1965. p. D478

BILLS INTRODUCED

15. MEAT IMPORTS. S. 3831, by Sen. Miller, to revise the quota-control system on the importation of certain meat and meat products; to Finance Committee. Remarks of author p. S7073

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91st-2nd; No. 105

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HIGHLIGHTS: Both Houses passed continuing resolution. Conferees filed report on second supplemental appropriations bill. Rep. Alexander criticized Department's failure in "the development of new farm legislation". Rep. Mizell introduced and discussed bill authorizing leasing of burley tobacco acreage allotments. House subcommittee approved proposed Wheat Research and Promotion Act.

HOUSE

1. APPROPRIATIONS. Both Houses passed H. J. Res. 1264, making continuing appropriations for FY 71. pp. S9745-6, H5946-9

Conferees reported HR 17399, second supplemental appropriations bill, FY 70. Agreed to amounts for USDA items as contained in the Senate version (see Digest No. 94). The Senate provision of $300 million for the Food Stamp program was amended to change the date for the availability of such funds to cover a four instead of three-month period of time (H. Rept. No. 91-2227). pp. H6013-4

Passed HR 18127 without amendment, the public works and AEC appropriations bill, FY 71. pp. H5949-91

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2. GRAINS. An Agriculture Committee subcommittee approved for the full committee HR 13543, amended, the proposed Wheat Research and Promotion Act. p. D679

3. FARM PROGRAM. Rep. Alexander criticized the Department for its failure in "the development of new farm legislation" and stated "USDA apparently cannot decide where it stands on legislative proposals". pp. H6002-3

4. LAND AND WATER CONSERVATION. The Committee on Interior and Insular Affairs reported, with amendment, HR 15913, amending the Land and Water Conservation Fund Act of 1965 (H. Rept. No. 91-1225). p. H6015

5. MOTOR VEHICLES. A Government Operations Committee subcommittee approved for full committee S. 2763, allowing the purchase of additional systems and equipment for passenger motor vehicles over and above the statutory price limitation. p. D680

6. RIVER BASIN; IRRIGATION. An Interior and Insular Affairs Committee subcommittee approved for full committee the following bills: HR 7521, amended, authorizing the Riverton extension unit, Missouri River Basin project; HR 9804, authorizing supplemental irrigation facilities; and HR 13001 amended, respecting the Navajo Indian irrigation project. p. D680

7. HIGHWAYS. The Ways and Means Committee agreed to a 3-year extension of the highway trust fund subject to drafting of proper legislation. p. D680

8. FESTIVAL. Several Representatives spoke in support of a resolution establishing an annual "Day of Bread" and "Harvest Festival" week in October. pp. H5943, H5994, H6011

9. HOUSING. Rep. Patman urged the restoration of title V, providing for a National Development Bank for Housing, to the proposed Emergency Home Finance Act of 1970. pp. H5996-8

SENATE

10. APPROPRIATIONS. The Appropriations Committee reported, with amendments, HR 17548, the independent offices and HUD appropriations bill, FY 71 (S. Rept. No. 91-949). p. S9671

11. DISASTER RELIEF. A Public Works Committee subcommittee approved for full committee S. 3619, with amendments, establishing a comprehensive Federal disaster relief program. p. D678

12. PRIVATE BILL. The Judiciary Committee reported without amendment HR 13740, for the relief of Kimball Brothers Lumber Company (S. Rept. No. 91-953). p. S9671

13. LANDS. Received a report of the Public Land Law Revision Commission; to the Committee on Interior and Insular Affairs. p. S9671

91st Congress } HOUSE OF REPRESENTATIVES { Report
2d Session } { No. 91-1225

AMENDING THE LAND AND WATER CONSERVATION FUND ACT OF 1965, AS AMENDED, AND FOR OTHER PURPOSES

June 24, 1970.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Taylor, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 15913]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 15913) to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, beginning on line 3, strike all after the enacting clause and insert in lieu thereof the following:

That subsection 1(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897, 17 U.S.C. 4601-4), is amended as follows:

(a) Strike out "by (1) and insert "(1) by".

(b) Strike out "and (2)" and insert ",(2) by making available to States lands suitable for recreation use that are excess to the needs of Federal agencies, and (3) by".

Sec. 2. The Land and Water Conservation Fund Act of 1965 is further amended by adding a new section 11 as follows:

"Sec. 11. (a) In lieu of disposal under the Federal Property and Administrative Services Act of 1949, as amended, of any surplus real property and related personal property, and deposit of the proceeds received in the Land and Water Conservation Fund, when any Federal real property and related personal property are declared to be excess to the needs of any Federal agency the Secretary of the Interior shall determine whether they are needed and suitable for State or local public park or recreation uses, suitability being determined in the light of the highest and best use of the property under present and foreseeable needs. If the Secretary makes affirmative determination, and if the property is transferred by the Administrator of General Services, in his discretion, to the Secretary of the Interior in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, the Secretary is authorized to convey such property in furtherance of the purposes of this Act to any State, territory or possession of the United States, the District of Columbia, the Commonewalth of Puerto Rico, any

37-006—70——1

political subdivision or instrumentality thereof, or municipality for a consideration or without consideration as elected by the grantee from one of the following alternatives:

"(1) a price determined by the Secretary after taking into consideration any benefit that has accrued or may accrue to the United States from the use of the property by the purchaser;

"(2) no consideration where the United States acquired the land involved by donation from the grantee;

"(3) a price equal to the consideration paid by the United States when it acquired the land:

Provided, That under each of the foregoing alternatives the grantee may be required to pay the value, as determined by the Secretary, of any improvements constructed by the United States which the Secretary determines will probably be used for other than park or recreation purposes.

"(b) The deed of conveyance—

"(1) shall provide that the property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event such property ceases to be used or maintained for such purpose all or any portion of such property shall in its then existing condition, at the option of the Secretary of the Interior, revert to the United States;

"(2) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States; and

"(3) shall not be executed until sixty days after the proposed conveyance has been transmitted to the Committees on Interior and Insular Affairs of the Senate and House of Representatives respectively.

"(c) As soon as practicable after the close of each fiscal year the Secretary shall submit to the Congress a report showing the acquisition cost of all real property and related personal property sold during that year, the sales prices, and the bases on which the sales prices were determined."

SEC. 3. Subsection 5(b), paragraph (2), of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8) is amended as follows:

(a) After "United States" insert a comma and strike out "and of".

(b) After "outside the State" insert a comma and strike out "as well as a consideration of".

(c) At the end of the paragraph change the period to a comma and add "and any conveyance of excess Federal property pursuant to section 11 of this Act."

SEC. 4. Subsection 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–5(c)) is amended as follows:

(a) In clause (1), strike out "five fiscal years beginning July 1, 1968, and ending June 30, 1973" and insert "fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989."

(b) In clause (2), after "$200,000,000" insert "or $300,000,000" and after "for each of such fiscal years," insert "as provided in clause (1),"

PURPOSE

The purpose of H.R. 15913, which was introduced by Representative Wayne N. Aspinall, and a companion bill, H.R. 15916, introduced by Representative John P. Saylor, is to enhance the effectiveness of the national Land and Water Conservation Fund program by providing the mechanism for utilizing suitable, unneeded Federally owned lands for park and recreation purposes, and by expanding the funding capacity of the Land and Water Conservation Fund. Similar bills were introduced by several other Representatives.[1]

[1] S. 1708 (a bill approved by the Senate which was referred to the Committee).
H.R. 11650 (Wold, Camp, Pollock, Adams, Edmondson, Diggs, Eshleman, Dulski, Derwinski, Anderson (Ill.), Anderson (Calif.), Coughlin, Tunney, Gude, Kluezynski and Scheuer).
H.R. 11788 (Horton).
H.R. 12651 (Pelly).
H.R. 12701 (Landgrebe).
H.R. 13011 (Meeds, Mink, Udall, Kastenmeier, Foley, O'Hara).
H.R. 14974 (McClure).
H.R. 11072 (Dingell).
H.R. 11127 (Dingell, Wm. D. Ford, Karth, McCloskey, Moss, Nedzi, O'Hara, Reuss, Saylor).
H.R. 16483 (Pelly).
H.R. 16593 (Foley).

The Federal Land and Water Conservation Fund Program

The Land and Water Conservation Fund Act of 1965 (Public Law 88–578 78 Stat. 897) authorized a Federal program which has as its sole objective the expansion of outdoor recreation opportunities in every region of the Nation for the enjoyment inspiration and physical benefit of all Americans. To accomplish this goal the Congress authorized a two-pronged Federal program. One element permits the Secretary of the Interior to assist the States in the expansion of their outdoor recreation programs; the other enables the Federal agencies with outdoor recreation responsibilities to pursue their authorized land acquisition programs. Together this joint effort constitutes the essence of the national outdoor recreation program.

1. Background of the land and water conservation fund program

In recognition of the growing outdoor needs throughout the Nation the Congress enacted legislation establishing the Outdoor Recreation Resources Review Commission. To that body it assigned the task of ascertaining not only what the immediate outdoor recreation needs of the Nation were, but also what the long-term requirements would be if the American people were to continue to enjoy the quantity and quality of recreation opportunities to which they had become accustomed.

All of the data developed by the Commission pointed to increased demand for more recreational opportunities. Projections of more people with more leisure time and greater mobility and financial resources led to the inevitable conclusion that the impact on existing outdoor areas would continue to increase in the years ahead. As a result, long before the environment began to receive all of the attention it presently receives, the Congress began to develop an orderly, constructive program to meet the problem before it became a crisis.

The cornerstone of the national outdoor recreation program is the Land and Water Conservation Fund Act. From it and through it the Congress has endeavored to systematically resolve the problems foreseen by the three-year Outdoor Recreation Resources Review Commission study. The essence of the Federal program is—

(1) to make matching assistance available to the States and their local subdivisions to enable them to provide expanded outdoor recreation opportunities for their residents and their out-of-state guests, and

(2) to make funds vailable to Federal agencies for the acquisition of lands having nationally-significant natural, recreational, historic or scientific value.

It would be extremely difficult, if not impossible, to provide for the accelerated expansion of the outdoor recreation programs without this program.

2. Matching Assistance for the States and Localities

When the Land and Water Conservation Fund Act was being considered, it was a recognized fact that most people would continue to seek most of their recreational enjoyment in their spare hours—hours after school or work or for a one-day outing. Most of the time, these needs can best be met by providing appropriate facilities nearby. The State and local governments, naturally, can most reasonably be ex-

pected to provide them, and the Act encourages the States to play this pivotal role.

Under the terms of the Act, every State is assured a share of the monies distributed from the Land and Water Conservation Fund. By law, forty percent of the matching money is divided equally between the participating States, and the remainder is apportioned on the basis of demonstrated need. As a result of this element in the Federal program, the States have been encouraged to make a substantial investment in their outdoor recreation programs and more than $300,000,000 has been distributed to them since the Land and Water Conservation Fund programs was established (for details on a State-by-State basis. see Table A at the end of this report).

3. Federal Agencies under the Land and Water Conservation Fund Act

While the Federal program makes a significant contribution by providing matching assistance to the States, its effect is not limited to that element alone. It also provides the method for financing the recreation land acquisition activities of Federal agencies having outdoor recreation responsibilities. Since the Outdoor Recreation Resources Review Commission completed its study and made its recommendations, the Congress has authorized the establishment of many new outdoor areas. But for the existence of the Land and Water Conservation Fund, such places as the Redwoods National Park in California, Assateague Island National Seashore in Maryland and Virginia, Padre Island National Seashore in Texas, Fire Island National Seashore in New York, Delaware Water Gap National Recreation Area in Pennsylvania and New Jersey, Indiana Dunes National Lakeshore in Indiana, and Biscayne National Monument in Florida—to mention only a few—may never have been added to our inventory of outdoor resources for the use of all Americans for generations yet to come.

The programs of the Federal agencies are not substitutes for the State and local programs discussed above. They are mutually complementary. In reality, they are one Federal program designed to meet one objective—to provide the maximum possible benefits of outdoor recreation opportunities to all Americans. Under the program, the States are encouraged to provide more locally-oriented recreation facilities, while the efforts of the Federal agencies concentrate on the acquisition of areas having national significance. (For details on the apportionment of funds to Federal agencies see Table B at the end of this report.)

4. Source of Revenues for the Land and Water Conservation Fund

Originally the Land and Water Conservation Fund derived its receipts from three sources:

(1) entrance and user fees,
(2) motorboat fuel taxes, and
(3) revenues from the sale of surplus real property and related personal property.

Revenues from these sources never reached the levels anticipated at the time that the Land and Water Conservation Fund Act was enacted. As a consequence, the Congress reviewed the program in 1968 and, in recognition of its demonstrated ability to effectively stimulate local and national interest in expanding the outdoor recreation program, it developed a modified formula for revenues for the Fund.

By enacting Public Law 90–401 (82 Stat. 354) in 1968, the Congress assured a program level of $200 million for a period of five fiscal years. Revenues from the above-mentioned sources were to continue to be deposited in the Fund. In addition, the Act authorized the appropriation of sufficient moneys to the Fund to make up any deficiencies between these receipts and the $200 million maximum. If the appropriations were not made, then a mechanism diverting the necessary revenues from the Outer Continental Shelf receipts was automatically triggered so that the Fund would be assured of having an income of $200 million.

This guaranteed annual income to the Land and Water Conservation Fund has transformed it from an unpredictable recreation program into the useful and reliable tool which it was always intended to be. Now, instead of gambling on the future, the Congress can develop a reasonable, progressive park and recreation program which should be devoid of most of the handicaps of the past because the amounts of money available for appropriation from the Fund each year can be calculated precisely and the moneys can be appropriated to meet program objectives expeditiously.

Provisions of H.R. 15913

As recommended by the Committee, the provisions of H.R. 15913 would make two important changes in the national outdoor recreation program:

First, it would permit the Administrator of the General Services Administration to transfer unneeded, excess Federal properties which are suitable for park and recreation programs to the Secretary of the Interior for conveyance to States or local agencies in furtherance of the program objectives of the Land and Water Conservation Fund Act.

Second, it would increase the level of the Land and Water Conservation Fund to $300 million annually for the life of the program.

1. Using Unneeded, Excess Federal Lands for Recreation Purposes

The national need for increased recreation opportunities cannot be met effectively with money alone. When land that is uniquely suitable for recreation use becomes available, it should be devoted to that use.

Present laws recognize the obvious public benefits which follow from making unneeded Federal properties available to the States and their political subdivisions for special programs. Surplus Federal properties are now made available with a public benefit discount totaling up to 100 percent for health and education purposes (40 U.S.C. 484k), for airports (50 U.S.C. 1622(g)(1)), and for wildlife conservation (16 U.S.C. 667(b), (c), and (d)). For park and recreation purposes, however, the public use discount is limited to 50 percent (50 U.S.C, 1622(h)(1) and (2)). While this discount is adequate in some instances. it is not sufficient where the monetary value of the lands for other purposes is substantial. The inadequacy of the present law to accomplish the objective becomes apparent when the program is reviewed. In fiscal year 1969, for example, only 18 surplus Federal properties (totaling 7,634 acres) were conveyed to State and local governments for park and recreation purposes, and the value of the assistance afforded these units of government under existing law has averaged less than $1 million annually.

Because of the intangible value which attaches to public outdoor recreation—a value which cannot be measured in monetary terms or comparative appraisals—in 1962, the Outdoor Recreation Resources Review Commission recommended that:

> Surplus Federal lands suitable for outdoor recreation purposes should be made available to State and local governments at no cost, with appropriate reversion clauses.

H.R. 15913 represents a significant step toward implementing the ORRRC recommendation. It enlarges the program authorized by the Land and Water Conservation Fund Act by permitting the utilization of suitable excess Federal properties to accomplish the objectives of the Federal program. It provides a mechanism for the transfer of park quality lands to the States or their subdivisions, and this authority supplements the Secretary's present authority to make monetary grants. Both forms of grant are in furtherance of the Federal program. When the excess property is transferred to the Secretary it becomes "program property" which is to be used to further the purposes of the Land and Water Conservation Fund program.

It should be emphasized that the provisions of H.R. 15913 do not diminish the discretionary authority of the Administrator of General Services with respect to the disposition of excess or surplus Federal lands. He retains the authority to determine whether or not a particular tract of excess land should be used for park and recreation purposes. Only if he makes an affirmative determination may the property be transferred to the Secretary of the Interior for conveyance to the State or local government.

When excess Federal lands are transferred to the Secretary pursuant to the provisions of H.R. 15913, he will be authorized to convey them to the interested State or local entity for a consideration or without consideration depending on the circumstances. The grantee is permitted to elect from three statutory alternatives the most desirable arrangement:

> (1) It may pay the price established by the Secretary after taking into consideration the benefits which have accrued or which may accrue to the United States from the use of the property;
>
> (2) It may acquire the property without consideration if it donated the land to the United States originally, or
>
> (3) It may reimburse the United States the purchase price paid for the property when it was acquired.

Improvements located on the property which are to be used for recreation purposes are subject to the same purchase arrangement as the land, but if they were constructed by or for government use and if they are not to be used for park or recreation purposes, then the grantee may be required to pay their value, as determined by the Secretary.

The bill recommended by the Committee explicitly requires the inclusion of a reverter clause to assure the use of the property for park and recreation purposes in perpetuity. It also authorizes the Secretary to impose such other conditions as he deems appropriate to protect the interests of the United States. Without denying the Secretary

some useful flexibility, it should be emphasized that as a general practice all deeds of conveyance should reserve all oil, gas and mineral rights and should include provision for title to the land to revert to the United States if it is needed for the national defense.

To assure Congressional review of this program, H.R. 15913 requires the Secretary to transmit the proposed deed of conveyance to the Committees on Interior and Insular Affairs of the Senate and House of Representatives 60 days prior to the date of execution by him and he is required to submit an annual report to the Congress showing in detail the nature of the transactions executed under the authority of this legislation.

2. Increased level of the Land and Water Conservation Fund

In 1968, the Congress amended the Land and Water Conservation Fund Act to increase the level of the fund to $200 million annually for a five-year period. That action was taken to assure the availability of adequate funds to underwrite the anticipated investment in the outdoor recreation program for a period of five years.

Compared to the earlier years of the program, the guaranteed annual income to the Land and Water Conservation Fund has produced a stable program allowing a reasonable rate of progress. Unlike the initial years of the Fund, when it was impossible to project precisely how much money would be available for the program from year to year, the $200 million program has enabled all levels of government to develop their plans with some degree of assurance that the funds to make them a reality will be available for appropriation. This aspect of the program has been significantly bolstered by the commitment of this Administration to utilize the moneys available to it to expand the program of assistance to the States and to expedite the acquisition of the authorized Federal park and recreation areas.

Perhaps the principal advantage of expanding the level of the Fund for the years ahead is that it will expand the benefits of the program so that the States and their localities, which are in the best position to make recreation opportunities available where they are needed the most, can receive substantially more money for their programs. It is a recognized fact, as the Outdoor Recreation Resources Review Commission report stated, that "The most important recreation of all is the kind people find in their everyday life." The acceleration of the State assistance program is generally considered to be one of the most effective ways to meet the recreation needs of the public.

The States and localities are more eager than ever to meet this challenge. Between 1960 and 1969, 47 States approved recreation bond issues exceeding $1.4 billion and local entities have approved an additional amount totaling $232.4 million. Almost half of this (over $700 million) is the product of the last two years—and much of it is still available for matching under the Land and Water Conservation Fund Act. As further evidence of the commitment of the States to this program it is interesting to note their increased capacity to keep pace with the matching funds made available to them through appropriations made for this program.

Fiscal year ending:	Percent of total appropriation obligated (cumulative)
June 30, 1965	1.97
June 30, 1966	15.37
June 30, 1967	64.13
June 30, 1968	79.29
June 30, 1969	93.68
June 30, 1970 (estimated)	100.00

The State matching assistance program is not the only reason for recommending the increase in the level of the Fund. The Committee is looking ahead to the future fund requirements of the Federal agencies which have outdoor recreation responsibilities. Just as the urban thrust requires a substantial State and local effort it has affected the programs of the recreation-oriented Federal agencies. In recent years new concepts have emerged which have led to the expansion of national outdoor recreation areas nearer our population centers. Naturally this development has had a tremendous impact on the Federal investment required for land acquisition. In making our recommendations to the Congress the Committee has confined its efforts to nationally significant areas. Sometimes these involve an interstate complex or a large area which is beyond the financial capacity of the State and local agencies but every effort has been made to limit the programs of the Federal agencies to areas worthy of national recognition.

At the present time, it is estimated that over $165 million is needed to complete the land acquisition programs in authorized areas of the national park system and an additional $320 million is projected to be needed for the Forest Service and the Bureau of Sport Fisheries and Wildlife over the next five years. This, of course, does not include any funds which will be needed if new areas are authorized by the Congress. If the *status quo* were to be maintained most of the backlog of authorized Federal areas could be quickly eliminated, but the fact remains that recreation land values are increasing so rapidly that it is still in the public interest to accelerate the program while the areas worthy of national recognition remain available for purchase at a relatively reasonable price.

A number of new urban-oriented recreation areas, as well as several potential rural outdoor areas, are presently in the process of being studied. If they are deemed suitable, and if the Congress authorizes them, it is anticipated that the Land and Water Conservation Fund will be the principal source of the land acquisition monies. Each of these proposals must be reviewed on its individual merits, but possible authorization by Congress should not be foreclosed by the inability of the Land and Water Conservation Fund to underwrite the land acquisition costs which will be incurred.

Committee Amendment

The Subcommittee on National Parks and Recreation considered H.R. 15913 at length and developed the basic language embodied in the substitute language recommended by the Full Committee.

1. Section-by-Section Analysis

The provisions of H.R. 15913, as recommended, are briefly described below:

Section 1 amends the Land and Water Conservation Fund Act to include, as one of the basic purposes of that Act, the authority for the Secretary of the Interior to make available to States lands that are suitable for park and recreation purposes when they are excess to the needs of the controlling Federal agency.

Section 2 amends the Land and Water Conservation Fund Act by adding to it a new section which authorizes the transfer of excess Federal real property and related personal property by the Administrator of the General Services Administration, in his discretion, to the Secretary of the Interior for conveyance to any State, territory, or municipality for or without a consideration. The grantee is permitted to elect from the following alternatives the consideration to be paid:

(1) a price determined by the Secretary after taking into consideration the benefits which have accrued or may accrue to the United States from the use of the property;

(2) no consideration where the United States acquired the land involved by donation from the grantee;

(3) a price equal to the price paid by the United States when it acquired the land.

In any event the grantee would be required to pay the value of any Federal improvements not suitable for park or recreation purposes.

The deed of conveyance is required to include a clause which would cause the property to revert to the United States in the event that it was not used and maintained for the purpose for which it was conveyed. In addition, other reservations or conditions may be included to protect the Federal interest. All proposed conveyances are required to be transmitted to the Interior and Insular Affairs Committees of the House of Representatives and the Senate for review for 60 days prior to their execution and the Secretary is required to report annually to the Congress on all transactions which he executes each fiscal year.

Section 3 amends the Land and Water Conservation Fund Act to require the Secretary to take into consideration, among other things, conveyances of excess Federal property made to a State when he apportions the moneys made available from the Fund among the several States. In carrying out this provision, it is not the intention of the Congress to deprive any State of a reasonable share of the Land and Water Conservation Fund, but it is the intention to allow the Secretary some discretion in balancing the equities between the States which receive grants of property and those which receive none.

Section 4 amends the Land and Water Conservation Fund Act, as amended, to increase the authorized level of the Fund from $200,000,000 to $300,000,000 annually from fiscal year 1971 through fiscal year 1989; thus making a total of $5.7 billion available for the entire national outdoor recreation program for the life of the Land and Water Conservation Fund.

2. Other Amendment Considered

An amendment was offered, discussed, and seriously considered which would have amended a different part of the Land and Water

Conservation Fund Act. While the amendment would have been germane, it was the consensus of the Members that it was a collateral issue which should not be included in H.R. 15913. The thrust of the amendment would have been to restrict the authority of the Secretary of the Interior to enter into leaseback-sellback arrangements as authorized by the 1968 amendment to the Land and Water Conservation Fund Act (Public Law 90–401; 82 Stat. 354).

While the amendment was not adopted, it was generally agreed that the report on H.R. 15913 should emphasize that the Secretary should utilize that authority most discreetly and that he should not reconvey or lease lands in the national park system for residential subdivisions or commercial purposes, except for the purpose of providing public accommodations, facilities and services in accordance with the act establishing concession policies in areas administered by the National Park Service.

Cost

The enactment of H.R. 15913 will increase the amount credited to the Land and Water Conservation Fund by $100,000,000 annually for two years and by an estimated $200,000,000 annually for seventeen years. These funds cannot be expended unless subsequently appropriated by the Congress for uses authorized in the Land and Water Conservation Fund Act.

The conveyance of excess Federal property to the States for park and recreation purposes will not involve any additional economic impact on the Federal Government, because if the property were not conveyed to the States it would be sold and the proceeds would be used for the Land and Water Conservation Fund program.

Conclusion and Committee Recommendation

Funding at a $300,000,000 annual level until 1989 should be adequate to enable the nationwide effort to expand outdoor recreation opportunities to make reasonable progress. The investments made in this program—both in terms of property and money—will be appreciated by many generations of Americans. Not only is the program consistent with the idea that the outdoors is vital to the spirit and essential to the body, but it will add renewed impetus to the general effort to improve the quality of the lives of all Americans for all time.

The Land and Water Conservation Fund Program is sound: it is good for the land and it is good for the people. The record of its accomplishments are already impressive, but the job which lies ahead of it remains massive. The Members of the Committee on Interior and Insular Affairs recognize that a cooperative effort on the part of all concerned is required if the task is to be mastered, and the consensus is that H.R. 15913 is the best means available to achieve the goal desired.

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 15913, as amended.

Departmental Reports

The departmental reports are printed below. It should be noted that the report of the Bureau of the Budget gives Administration support to the oral testimony received from the Department of the Interior recommending that the assured level of the Land and Water Conservation Fund be increased from $200 million to $300 million.

The proposed legislation referred to in those reports is contained in an Executive Communication to the Speaker, which is also printed below.

The important point to note is that H.R. 15913 as amended by the Committee contains the substance of all of the Administration's recommendations, except one. The one exception involves an amendment to the Federal Property and Administrative Services Act to permit surplus property revenues to be used to finance the move of Federal agencies from land not being put to its optimum use to more appropriate land. This amendment is now under consideration by the Committee on Government Operations, which has legislative jurisdiction over that subject matter. The other Administration recommendations, which are included in H.R. 15913, relate to the Land and Water Conservation Fund program, which is within the legislative jurisdiction of the Committee on Interior and Insular Affairs.

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., April 10, 1970.

Hon. Wayne N. Aspinall,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

Dear Mr. Chairman: Your Committee has requested the views of this Department on S. 1708, as it passed the Senate on June 26, 1969, H.R. 12651, H.R. 13011, and H.R. 14974, identical bills "To amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes" and on H.R. 11072, H.R. 11127, H.R. 12701, H.R. 15913, H.R. 15916, H.R. 16483 and H.R. 16593, bills which are similar to the above-mentioned identical bills.

Generally speaking the bills have the common objective of enabling States and their political subdivisions to acquire surplus Federal real property and related personal property for park and recreational purposes at discounts lower than the present 50 percent discount available under section 13(h) of the Surplus Property Act of 1944, as amended, 50 U.S.C. App. 1622(h) (Supp. IV, 1968). Specifically, S. 1708 would authorize such governments, until June 30, 1973, to acquire such property from the Administrator of General Services:

1. at no cost where the property was originally donated to the United States by the involved government;
2. at the original purchase price where the United States purchased the property;
3. or at their option, at a sliding scale of zero to 50 percent of the fair market value of the property as determined by the Administrator in accordance with recommendations of the Secretary of the Interior and subject to congressional review.

Identical bills H.R. 15913 and H.R. 15916 and a similar bill H.R. 16483 by comparison would require the Administrator to transfer to the Secretary of the Interior upon the latter's request surplus Federal property that the Secretary certifies is needed and suitable for park or recreation use (suitability being determined in light of the highest and best use of the property). The Secretary would then be authorized to sell such property to State and local governments at a price that takes into consideration the resulting benefit accuring to the United States.

In addition, H.R. 15913 and H.R. 15916 would increase the $200 million authorized to be appropriated for deposit in the Land and Water Conservation Fund each fiscal year under section 2(c) of the Fund Act, as amended, by an amount equal to the net proceeds from the sale of surplus Federal real and related personal property in excess of $54.7 million in any one year.

We recognize that escalating land values, particularly in urban areas, have often precluded financially pressed State and local governments from obtaining the benefits of the existing 50 percent discount on acquisitions of surplus Federal property suitable for park and recreational uses. We, therefore, wholeheartedly favor the common objective of these bills of affording such governments substantially cheaper—if not free—means of making such acquisitions. Such action should significantly accelerate the development of sorely needed recreation opportunities in urban areas.

We recommend, however, that such objectives be accomplished under the more comprehensive legislation that this Department submitted to the Congress by an executive communication of February 10, 1970, rather than under any of the above bills. The Department's legislative proposal, which has been introduced in the House of Representatives as H.R. 16031, and identical bills H.R. 15870, H.R. 15984, H.R. 16023, H.R. 16038, H.R. 16045, H.R. 16052, and H.R. 16109, will carry out certain recommendations concerning parks and public recreation in the President's message on the environment which was also submitted to the Congress on February 10. (See House Document No. 91–225, pages 11–12.)

Specifically H.R. 16031 would—

(1) increase the present $200 million funding level for the Land and Water Conservation Fund to the same ex nt as H.R. 15913 and H.R. 15916;

(2) authorize this Department, subject to the approval of the Administrator of General Services, to convey surplus Federal real property to State and local governments for park and recreation purposes at public benefit discounts of up to 100 percent, that is, the conveyance may constitute a donation; and

(3) authorize the General Services Administration to use receipts from sales of Federal surplus real property to pay the cost of relocation of Federal activities off of Federal property which is not being best utilized so that the underutilized property can be put to better use either by the Federal Government, by donation to State and local governments for presently authorized purposes, or by sale.

H.R. 16593 and H.R. 11127 would raise the assured authorization of the Land and Water Conservation Fund from $200 million to $300 million and $400 million, respectively. This Administration is now considering the need for an increase in the authorized level of the fund for FY 1972 and beyond. We are therefore not prepared to make recommendations with respect to such increases at this time. Accordingly, we recommend that action on both of these bills be deferred pending completion of the review and submission of our recommendations. In the meantime, of course, there is pending before the Congress the request contained in the President's 1971 budget for appropriation of $357.4 million from the Fund.

We recommend the enactment of H.R. 16031, or any of the identical bills, rather than S. 1708, H.R. 15913, or H.R. 15916, because they carry out the entire park and public recreation program proposed in the President's environmental message, including appropriate provisions to revise procedures under the Federal Property and Administrative Services Act of 1949, as amended, to encourage Federal Agencies to relinquish present sites and move to new sites where more efficient use may be made of the present sites.

The Bureau of the Budget has advised that enactment of H.R. 16031, or any of the identical bills, would be in accord with the program of the President.

Sincerely yours,

WALTER J. HICKEL,
Secretary of the Interior.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., April 10, 1970.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your letters of July 2, 1969, March 13, and March 26, 1970, requested the views of the General Services Administration on H.R. 11650, S. 1708, H.R. 12651, H.R. 13011, H.R. 14974, H.R. 12701, H.R. 15913, H.R. 15916, H.R. 11788, H.R. 11127, and H.R. 16593, all bills to amend title I of the Land and Water Conservation Fund Act of 1965.

Except for H.R. 11127 and H.R. 16593, which concern only the income of the Fund, each of the bills provides for the conveyance of surplus real and personal property to states and their political subdivisions for park and recreation purposes. Under some of the bills, the ultimate sale would be accomplished by the Secretary of the Interior at a price to be determined by him after taking into consideration any benefit that has accrued or may accrue to the United States from the use of the property by the purchaser. Under other bills, a state or political subdivision which originally donated the property to the Federal Government could reacquire it at no cost, or where the Government had paid for the property, the state or political subdivision could acquire it, at its election, at the original purchase price or at a price predicated on a sliding scale running from zero to fifty percent of fair market value.

In a report to the Chairman of the House Committee on Government Operations, GSA has recommended enactement of H.R. 15870, now pending before that Committee. That bill would carry out certain recommendations in the President's message of February 10, 1970, on the environment, particularly with respect to parks and public recreation. GSA would be authorized to assign surplus real property to the Secretary of the Interior for disposal to State and local governments for park and recreation purposes, at public benefit discounts of up to 100%. Further, the bill would authorize the use under controlled conditions of receipts from sales of Federal surplus real and related personal property to pay the costs of relocating Federal activities from property that the Administrator of General Services determines to be other than optimumly utilized. The bill would also provide for

amendment of the Land and Water Conservation Fund Act of 1965 in a manner substantively identical to that provided for in section (b) of H.R. 15913 and H.R. 15916.

We have stated in our report on H.R. 15870 that GSA is in complete accord with the objectives of the bill, and considers that it provides appropriate and orderly methods for accomplishing them. The bills presently pending before your Committee do not contain, either individually or collectively, all of the provisions found in H.R. 15870. Accordingly, GSA is opposed to the enactment of H.R. 11650, S. 1708, H.R. 12651, H.R. 13011, H.R. 14974, H.R. 12701, H.R. 15913, H.R. 15916, and H.R. 11788 in their present form and urges instead early enactment of the Administration's draft legislation as represented by H.R. 15870 and identical bills pending before Congress. We defer to the Department of the Interior as to the desirability of H.R. 11127 and H.R. 16593.

In accordance with the press release attached to your letter of March 26, 1970, this is to advise that GSA wishes to testify on these bills. Fifty copies of the Administrator's statement are enclosed.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this report to your Committee.

Sincerely,

ROD KREGER, *Assistant Administrator.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 14, 1970.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the Bureau's views on a number of bills which would amend the Land and Water Conservation Fund Act.

H.R. 11127 and H.R. 16593 would raise the authorization level of the Land and Water Conservation Fund from the existing ceiling of $200 million to $400 million and $300 million, respectively. In its testimony yesterday before your Committee, the Department of the Interior recommended that the annual authorized level of the Fund be raised to $300 million. We support this recommendation.

S. 1708 as it passed the Senate, H.R. 11650, H.R. 11788, H.R. 12651, H.R. 12701, H.R. 13011, and H.R. 14974 all have the common objective, which we endorse, of making Federal surplus property available to State and local governments for park and recreation purposes at more liberal discounts than present law permits. In addition, H.R. 15913 and H.R. 15916 would increase the $200 million now authorized to be deposited in the Land and Water Conservation Fund by an amount equal to the net proceeds from the sale of surplus Federal real property in excess of $54.7 million in any one year.

We join the Department of the Interior and the General Services Administration in recommending that the Congress enact H.R. 15870 or H.R. 16031 or any of the other identical introduced bills, in lieu of S. 1708 or the other bills cited immediately above.

H.R. 15870 and H.R. 16031 are more comprehensive bills which would carry out the legislative proposals relating to parks and public recreation in the President's environment message. They would authorize Interior to convey surplus Federal property to State and local governments for park and recreation purposes at public benefit discounts up to 100 percent and would increase the funding level of the Land and Water Conservation Fund in the same manner as H.R. 15913 and H.R. 15916. In addition, they have provisions which will encourage Federal agencies to relocate Federal installations occupying land which can be put to park and recreation or other higher and better uses.

Sincerely,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 10, 1970.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft of proposed legislation "To amend the Land and Water Conservation Fund Act of 1965 as amended and for other purposes."

The bill would carry out certain recommendations in the President's message on the environment which are concerned with parks and public recreation.

At the President's direction a thorough review will be undertaken by executive agencies of their real property holdings to identify land which is not utilized is underutilized or is not being put to its optimum use. This review should provide much additional Federal land which can be made available for park and recreation purposes or which can be sold and the proceeds transferred to the Land and Water Conservation Fund for such purposes.

The draft bill we are transmitting would facilitate this objective in 3 ways:

(1) It would amend the Land and Water Conservation Fund Act to insure that the revenues presently available to the Land and Water Conservation Fund will be effectively augmented by the additional receipts which can be expected to result from the concentrated effort to dispose of unneeded Federal real property.

(2) It would authorize the Department of the Interior to sell surplus Federal real property to State and local governments for park and recreation purposes at public benefit discounts of up to 100%.

(3) It would authorize the General Services Administration to use receipts from sales of Federal surplus real property to pay the cost of relocation of Federal activities off of Federal property which is not being best utilized so that the underutilized property can be put to better use either by the Federal Government by donation to State and local governments for presently authorized purposes or by sale.

We request that the bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

The Bureau of the Budget advises that enactment of this bill would be in accord with the program of the President.

Sincerely yours,

WALTER J. HICKEL,
Secretary of the Interior.

A BILL To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Clause (2) of subsection (c) of section 2 of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 897), is further amended by changing the final period to a semicolon and adding thereafter the words:

"*Provided further,* That the foregoing amount of $200,000,000 shall be increased by an amount equal to the net proceeds placed in the fund from the sale of surplus real property and related personal property in excess of $54,700,000 in any one year."

SEC. 2. That section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(2) as section 203(k)(3), and by adding a new section 203(k)(2) as follows:

"(k)(2) Under such regulations as he may prescribe, the Administrator is authorized, in his discretion, to assign to the Secretary of the Interior for disposal, such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary of the Interior as needed for use as a public park or recreation area.

"(A) Subject to the disapproval of the Administrator within thirty days after notice to him by the Secretary of the interior of a proposed transfer of property for public park or public recreational use, the Secretary of the Interior, through such officers or employees of the Department of the Interior as he may designate, may sell such real property including buildings, fixtures, and equipment situated thereon, for public park or public recreational purposes to any State, political subdivision, instrumentalities thereof, or municipality.

"(B) In fixing the sale value of property torbe disposed of under subparagraph (A) of this paragraph, the Secretary of the Interior shall take into consideration any benefit which has accured or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or municipality.

"(C) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

"(i) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event that such

property ceases to be used or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

"(ii) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

"(D) 'States' as used in this subsection includes the District of Columbia, the Commonwealth of Puerto Rico, and the Territories and possessions of the United States."

SEC. 3. The first sentence of subsection (n) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended, (40 U.S.C. 484(n)), is amended by striking "(k)" and substituting "(k)(1)" in lieu thereof.

SEC. 4. Subsection (o) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended, (40 U.S.C. 484(o)), is amended to read as follows:

"(o) The Secretary of Health, Education, and Welfare, with respect to personal property donated under subsection (j) of this section, and the head of each executive agency disposing of real property under subsection (k) of this section shall submit, as soon as practicable following the close of each fiscal year, a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) showing the acquisition cost of all property so donated and of all real property so disposed of during such fiscal year."

SEC. 5. That section 204(b) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 485(b)), is amended by deleting the fifth sentence thereof and inserting in lieu thereof the following:

"Additionally, the Director of the Bureau of the Budget may authorize Federal agencies to obligate and to pay from this fund such amounts as he deems necessary to cover relocation costs and for the acquisition of such facilities (as may be authorized by law) to replace those which have been determined by the Administrator to be other than optimumly utilized. Upon occupancy of the replacement facilities, the head of the Federal agency concerned, shall, notwithstanding any other provision of law, immediately report the replaced facilities to the Administrator as excess property. Periodically, but not less often than once each year, any excess funds beyond current operating needs and beyond those authorized to be obligated for replacement facilities and such reserves for pending authorizations as the Director of the Bureau of the Budget may establish, shall be transferred from the fund to miscellaneous receipts or as may be otherwise provided by law: *Provided,* That a report of receipts, disbursements, and transfers to miscellaneous receipts under this authorization shall be made annually in connection with

the budget estimates to the Director of the Bureau of the Budget and to the Congress. Advance appropriations are authorized to be made to this fund from any moneys in the Treasury not otherwise appropriated in such amounts as may be deemed necessary. Such advance appropriations shall be repaid without interest, beginning five years thereafter, and until fully repaid to the general fund of the Treasury, by transferring annually 20 per centum of the proceeds available to the fund each year. The moneys not required for repayment purposes shall continue to be available as otherwise provided by law."

SEC. 6. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)), is amended by—

(1) striking out the phrase "public park, public recreational area, or" in paragraph (1) thereof; and

(2) striking out the first full sentence of paragraph (2) thereof.

SECTION-BY-SECTION ANALYSIS

Section 1 amends the Land and Water Conservation Fund Act, as amended, to provide that the $200 million minimum which is now deposited in the Fund in each fiscal year (through fiscal year 1973) shall be increased by an amount equal to the net proceeds placed in the Fund from the sale of surplus real property and related personal property in excess of the presently-budgeted level of $54.7 million in any one year.

Under present law there is deposited in the Fund each year revenues from the motorboat fuel tax, entrance and user fees from Federal recreation areas, and the sale of surplus real property and related personal property. To the extent the total of these revenues does not equal $200 million, the difference may be appropriated to the Fund from general revenues or, lacking that, it is made up from the revenues received under the Outer Continental Shelf Lands Act, as amended.

Under Section 1 the Fund would continue to receive these revenues, but only the first $54.7 million of surplus property revenues would be counted as a part of the $200 million floor, and the excess above $54.7 million would be an add-on above the $200 million level. For example, if the surplus property revenues that would flow into the Land and Water Conservation Fund in a given year amounted to $100 million, $54.7 million would count as part of the $200 million floor, and the remaining $45.3 million would constitute an addition above the $200 million level, making a total revenue to the Fund for that year of $245.3 million.

Section 2 would authorize the Secretary of the Interior to request, on behalf of State and local governments, surplus Federal real property for use for park and recreation purposes. Instead of selling such properties for a minimum of 50 percent of the full market value, as presently required by law, the Secretary would be given discretionary authority to sell on terms which he deems best, taking account of the values inherent for the people and the uses to which the land will be put. The terms set by the Secretary of the Interior may embrace a 100 percent discount from market value; that is, they may constitute a donation. The properties are to be conveyed with a reversionary clause, giving the United States the opportunity to reclaim title if, after the transfer

of title to the State or local government, the land is converted to other purposes than had been intended.

Section 3 makes a technical correction in the numbering of subsections of law, made necessary by the enactment of section 2 of this bill.

Section 4 enlarges the present requirements for quarterly reports to the Congress pertaining to donations of surplus property for specified purposes, in order that quarterly reports will include an accounting for the transactions which occur under the authority of section 2 of the bill.

Section 5 relates to the relocation of Government activities. The Federal Government can utilize its property, vacated by Government activities, for parkland purposes, either through discount sales, or through applying the proceeds of sales. However, there are cases where Federal activities are presently occupying land which might better be used for park or for other purposes, but the property cannot be declared excess without some better method for relocating the activity concerned. At present the process of obtaining funds for such relocation is cumbersome, lengthy, and uncertain. This section is intended to expedite that process. Although in the interest of sound property management the section is not limited to parkland situations, its enactment should contribute toward the parklands objectives of this bill.

The section permits the use, under controlled conditions, of the proceeds from the sale of real and related personal property, to relocate the Federal activity to another, more suitable, place. It also authorizes, for this purpose, advance appropriation from the general fund of the Treasury, such appropriations to be repaid from sale proceeds. Replaced facilities are required to be reported, as excess, to the Administrator of General Services.

Section 6 removes from the present law the requirement that the transfers of surplus property for parklands and recreation be at not less than 50 percent of the fair market value.

Changes in Existing Law

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF SEPTEMBER 3, 1964 (78 STAT. 897) AS AMENDED (16 U.S.C. 460*l*)

TITLE I—LAND AND WATER CONSERVATION PROVISIONS

SHORT TITLE AND STATEMENT OF PURPOSES

Section 1. (a) Citation; Effective Date.—This Act may be cited as the "Land and Water Conservation Fund Act of 1965" and shall become effective on January 1, 1965.

(b) Purposes.—The purposes of this Act are to assist in preserving, developing, and assuring accessibility to all citizens of the United

States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States [by (1)] *(1) by* providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities [and (2)] , *(2) by making available to States lands suitable for recreation use that are excess to the needs of Federal agencies, and (3) by* providing funds for the Federal acquisition and development of certain lands and other areas.

CERTAIN REVENUES PLACED IN SEPARATE FUND

SEC. 2. SEPARATE FUND.—During the period ending June 30, 1989, and during such additional period as may be required to repay any advances made pursuant to section 4(b) of this Act, there shall be covered into the land and water conservation fund in the Treasury of the United States, which fund is hereby established and is hereinafter referred to the "fund", the following revenues and collections:

(a) SURPLUS PROPERTY SALES.—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b)–(e), title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76 Stat. 725) or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(b) MOTORBOAT FUELS TAX.—The amounts provided for in section 201 of this Act.

(c)(1) OTHER REVENUES.—In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to this section, as amended, there are authorized to be appropriated annually to the fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the fund not less than $200,000,000 for each of the [five fiscal years beginning July 1, 1968, and ending June 30, 1973] *fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989.*

(2) To the extent that any such sums so appropriated are not sufficient to make the total annual income of the fund amount to $200,000,000 *or $300,000,000* for each of such fiscal years, *as provided in clause (1)*, an amount sufficient to cover the remainder thereof shall be credited to the fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.): *Provided,* That notwithstanding the provisions of section 3 of this Act, moneys covered into the fund under this paragraph shall remain in the fund until appropriated by the Congress to carry out the purpose of this Act.

SEC. 3. APPROPRIATIONS.—Moneys covered into the fund shall be available for expenditure for the purposes of this Act only when appropriated therefor. Such appropriations may be made without fiscal-year limitation. Moneys covered into this fund not subsequently authorized by the Congress for expenditures within two fiscal years following the fiscal year in which such moneys had been credited to the fund, shall be transferred to miscellaneous receipts of the Treasury.

ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES: AUTHORIZATION FOR ADVANCE APPROPRIATIONS

SEC. 4. (a) ALLOCATIONS.—There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the fund. In the absence of a provision to the contrary in the Act making an appropriation from the fund, (i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes, but (ii) the President may, during the first five years in which appropriations are made from the fund, vary said percentages by not more than 15 points either way to meet, as nearly as may be, the current relative needs of the States and the Federal Government.

(b) ADVANCE APPROPRIATIONS; REPAYMENT.—Beginning with the third full fiscal year in which the fund is in operation, and until the end of fiscal year 1969, advance appropriations are hereby authorized to be made to the fund from any moneys in the Treasury not otherwise appropriated in such amounts as to average not more than $60,000,000 for each fiscal year. Such advance appropriations shall be available for Federal and State purposes in the same manner and proportions as other moneys appropriated from the fund. Such advance appropriations shall be repaid without interest, beginning at the end of the next fiscal year after the first ten full fiscal years in which the fund has been in operation, by transferring, annually until fully repaid, to the general fund of the Treasury 50 per centum of the revenues received by the land and water conservation fund each year under section 2 of this Act prior to July 1, 1989, and 100 per centum of any revenues thereafter received by the fund. Revenues received from the sources specified in section 2 of this Act after July 1, 1989, or after payment has been completed as provided by this subsection, whichever occurs later, shall be credited to miscellaneous receipts of the Treasury. The moneys in the fund that are not required for repayment purposes may continue to be appropriated and allocated in accordance with the procedures prescribed by this Act.

FINANCIAL ASSISTANCE TO STATES

SEC. 5. GENERAL AUTHORITY; PURPOSES.—(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) Apportionment Among States; Notification.—Sums appropriated and available for State purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) two-fifths shall be apportioned equally among the several States; and

(2) three-fifths shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the proportion which the population of each State bears to the total population of the United States, [and of] the use of outdoor recreation resources of individual States by persons from outside the State, [as well as a consideration of] the Federal resources and programs in the particular States [.], *and any conveyance of excess Federal property pursuant to section 11 of this Act.*

The total allocation to an individual State under paragraphs (1) and (2) of this subsection shall not exceed 7 per centum of the total amount allocated to the several States in any one year.

The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) of this subsection.

The District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa shall be treated as States for the purposes of this title, except for the purpose of paragraph (1) of this subsection. Their population also shall be included as a part of the total population in computing the apportionment under paragraph (2) of this subsection.

(c) Matching Requirements.—Payments to any State shall cover not more than 50 per centum of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary. No payment may be made to any State for or on account of any cost or obligation incurred or any service rendered prior to the date of approval of this Act.

(d) Comprehensive State Plan Required; Planning Projects.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act. The plan shall contain—

(1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this Act;

(2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

(3) a program for the implementation of the plan; and

(4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available or for the maintenance of such plan.

(e) PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

(1) ACQUISITION OF LAND AND WATERS.—For the acquisition of land, waters, or interests in land or waters (other than land, waters, or interests in land or waters acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition.

(2) DEVELOPMENT.—For development, including but not limited to site planning and the development of Federal lands under lease to States for terms of twenty-five years or more.

(f) REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.—Payments may be made to States by the Secretary only for those planning, acquisition, or development projects that are approved by him. No payment may be made by the Secretary for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any project with respect to which such assistance has been given or promised under this Act. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

Each recipient of assistance under this Act shall keep such records as the Secretary of the Interior shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

The Secretary of the Interior, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this Act.

(g) Coordination With Federal Agencies.—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations.

ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

Sec. 6. (a) Moneys appropriated from the fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President to the following purposes and subpurposes:

(1) For the acquisition of land, waters, or interests in land or waters as follows:

National park system; recreation areas.—Within the exterior boundaries of areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

National forest system.—Inholdings within (a) wilderness areas of the National Forest System, and (b) other areas of national forests as the boundaries of those forests exist on the

effective date of this Act which other areas are primarily of value for outdoor recreation purposes: *Provided,* That lands outside of but adjacent to an existing national forest boundary, not to exceed five hundred acres in the case of any one forest, which would comprise an integral part of a forest recreational management area may also be acquired with moneys appropriated from this fund: *Provided further,* That not more than 15 per centum of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

THREATENED SPECIES.—For any national area which may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

RECREATION AT REFUGES.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (76 Stat. 653; 16 U.S.C. 460 k–*1*); and

(2) For payment into miscellaneous receipts of the Treasury as a partial offset for those capital costs, if any, of Federal water development projects hereafter authorized to be constructed by or pursuant to an Act of Congress which are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(b) ACQUISITION RESTRICTION.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.

FUNDS NOT TO BE USED FOR PUBLICITY

SEC. 7. Moneys derived from the sources listed in section 2 of this Act shall not be available for publicity purposes.

SEC. 8. Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each of fiscal years 1969 and 1970 for the acquisition of lands, waters, or interests therein within areas specified in section 6(a)(1) of this Act. Any such contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary of the Interior. Any such contract so entered into shall be deemed a contractual obligation of the United States and shall be liquidated with money appropriated from the fund specifically for liquidation of such contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless such acquisition is otherwise authorized by Federal law.

SEC. 9. The Secretary of the Interior may enter into contracts for options to acquire lands, waters, or interests therein within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the national park system. The minimum period of any such option shall be two years, and any sums expended for the purchase thereof shall be credited to the purchase price of said area. Not to exceed $500,000 of the sum authorized to be appropriated from the fund by section 3 of this Act may be expended by the Secretary in any one fiscal year for such options.

SEC. 10. There is hereby repealed the third paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 7, 1928 (45 Stat. 238) and the second paragraph from the end of the division entitled "National Park Service" of Section 1 of

the Act of March 4, 1929 (45 Stat. 1602; 16 U.S.C. 14). Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 24, 1944 (16 U.S.C. 460d) as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting ", without charge," in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recreation user fees or charges authorized by this Act or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed: *Provided*, That no provision of any law or treaty which extends to any person or class of persons a right of free access to the shoreline of any reservoir or other body of water, or to hunting and fishing along or on such shoreline, shall be affected by this repealer.

Sec. 11. (a) In lieu of disposal under the Federal Property and Administrative Services Act of 1949, as amended, of any surplus real property and related personal property, and deposit of the proceeds received in the Land and Water Conservation Fund, when any Federal real property and related personal property are declared to be excess to the needs of any Federal agency the Secretary of the Interior shall determine whether they are needed and suitable for State or local public park or recreation uses, suitability being determined in the light of the highest and best use of the property under present and foreseeable needs. If the Secretary makes an affirmative determination, and if the property is transferred by the Administrator of General Services, in his discretion, to the Secretary of the Interior in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, the Secretary is authorized to convey such property in furtherance of the purposes of this Act to any State, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any political subdivision or instrumentality thereof, or municipality for a consideration or without consideration as elected by the grantee from one of the following alternatives:

(1) a price determined by the Secretary after taking into consideration any benefit that has accrued or may accrue to the United States from the use of the property by the purchaser;

(2) no consideration where the United States acquired the land involved by donation from the grantee;

(3) a price equal to the consideration paid by the United States when it acquired the land:

Provided, That under each of the foregoing alternatives the grantee may be required to pay the value, as determined by the Secretary, of any improvements constructed by the United States which the Secretary determines will probably be used for other than park or recreation purposes.

(b) The deed of conveyance—

(1) shall provide that the property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event such property ceases to be used or maintained for such purpose all or any portion of such property shall in its then existing condition, at the option of the Secretary of the Interior, revert to the United States; and

(2) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

(3) shall not be executed until sixty days after the proposed conveyance has been transmitted to the Committees on Interior and Insular Affairs of the Senate and House of Representatives respectively.

(c) As soon as practicable after the close of each fiscal year the Secretary shall submit to the Congress a report showing the acquisition cost of all real property and related personal property sold during that year, the sales prices, and the bases on which the sales prices were determined."

APPENDIX

TABLE A.—APPORTIONMENTS TO STATES FROM THE LAND AND WATER CONSERVATION FUND (FISCAL YEARS 1965, 1966, 1967, 1968, 1969, 1970)

States	Fiscal year 1965 final apportionment	Fiscal year 1966 final apportionment	Fiscal year 1967 final apportionment	Fiscal year 1968 final apportionment	Fiscal year 1969 final apportionment	Fiscal year 1970	Total, fiscal years 1965–70
Alabama	$167,256	$1,352,086	$923,610	$1,003,881	$726,689	$997,474	$5,170,996
Alaska	92,744	753,306	515,907	561,671	413,720	549,586	2,886,934
Arizona	131,045	1,052,875	721,398	793,178	582,626	801,114	4,082,236
Arkansas	126,190	1,012,100	697,854	755,688	570,743	789,300	3,951,875
California	528,346	4,357,698	3,011,511	3,281,809	2,485,063	3,368,385	17,032,810
Colorado	139,657	1,125,356	766,850	833,601	609,952	846,674	4,322,090
Connecticut	158,972	1,352,917	922,343	1,026,839	771,981	1,020,436	5,253,488
Delaware	95,784	771,096	530,477	586,277	434,376	594,978	3,012,988
Florida	227,005	1,912,319	1,376,474	1,496,239	1,112,337	1,713,878	7,838,252
Georgia	176,581	1,450,186	995,791	1,085,776	814,491	1,102,625	5,625,450
Hawaii	102,698	928,571	634,283	678,861	450,252	669,431	3,464,096
Idaho	102,069	825,452	564,155	613,026	450,921	616,125	3,171,748
Illinois	378,725	3,136,401	2,104,901	2,274,488	1,674,609	2,292,094	11,861,218
Indiana	210,277	1,774,048	1,189,678	1,294,694	958,759	1,268,122	6,695,578
Iowa	157,868	1,425,229	954,224	1,015,383	763,564	1,002,098	5,318,366
Kansas	144,709	1,191,412	797,898	864,202	646,880	927,867	4,572,968
Kentucky	146,422	1,471,050	1,024,754	1,085,589	841,048	1,083,063	5,651,926
Louisiana	177,705	1,451,266	982,885	1,070,146	776,773	1,074,737	5,533,512
Maine	110,366	930,221	629,081	677,649	486,963	682,865	3,517,145
Maryland	174,509	1,735,100	1,144,399	1,220,475	937,137	1,184,109	6,395,729
Massachusetts	233,710	1,866,116	1,255,475	1,409,083	1,035,473	1,405,284	7,205,141
Michigan	303,662	2,723,567	1,808,119	1,945,755	1,463,526	1,978,810	10,223,439
Minnesota	183,119	1,495,630	1,018,077	1,131,512	814,419	1,131,799	5,774,556
Mississippi	130,517	1,049,792	719,599	779,550	572,632	829,168	4,081,258
Missouri	201,423	1,843,686	1,294,853	1,370,153	1,043,073	1,369,141	7,122,329
Montana	117,070	948,335	644,638	697,926	496,507	703,846	3,608,322
Nebraska	129,580	1,059,758	712,737	775,442	568,240	782,602	4,028,359
Nevada	96,341	786,661	542,928	590,297	438,242	585,107	3,039,576
New Hampshire	97,463	891,139	621,109	663,906	504,064	666,480	3,444,161
New Jersey	276,128	2,209,045	1,513,357	1,681,589	1,237,073	1,686,363	8,603,555
New Mexico	121,097	1,001,252	686,503	740,322	542,889	739,922	3,831,985
New York	601,610	4,928,780	3,382,451	3,652,786	2,483,393	3,539,961	18,588,981
North Carolina	183,264	1,500,713	1,013,433	1,103,061	817,992	1,118,131	5,736,594
North Dakota	107,267	863,690	586,591	636,328	465,435	642,593	3,301,904
Ohio	357,056	2,845,872	1,922,714	2,085,425	1,521,010	2,114,315	10,846,392
Oklahoma	147,345	1,180,131	801,598	865,470	634,082	877,526	4,506,152
Oregon	135,559	1,146,806	811,317	900,790	606,573	851,106	4,452,151
Pennsylvania	391,206	3,249,806	2,133,573	2,424,110	1,600,349	2,337,671	12,136,715
Rhode Island	108,950	918,856	626,985	673,391	498,956	671,621	3,498,759
South Carolina	142,290	1,152,595	783,989	853,566	625,511	892,987	4,450,938
South Dakota	110,390	1,009,733	660,615	705,066	530,245	698,547	3,714,596
Tennessee	169,421	1,365,401	938,958	1,019,115	746,069	989,803	5,228,767
Texas	388,162	3,164,515	2,136,917	2,351,516	1,690,823	2,381,500	12,113,433
Utah	113,825	929,123	628,818	683,599	505,357	676,533	3,537,255
Vermont	92,687	1,004,668	660,807	643,397	292,185	637,398	3,331,142
Virginia	182,094	1,475,783	1,014,587	1,101,855	813,573	1,165,944	5,753,836
Washington	159,786	1,327,289	894,404	963,396	698,647	1,009,734	5,053,256
West Virginia	123,049	1,125,463	682,815	783,797	587,143	783,787	4,086,054
Wisconsin	194,669	1,645,578	1,109,716	1,231,721	912,137	1,253,770	6,347,591
Wyoming	103,065	828,410	562,741	610,334	447,155	612,348	3,164,053
District of Columbia	74,798	406,734	311,385	342,009	313,680	350,724	1,799,330
Puerto Rico	109,181	679,838	495,204	545,169	462,675	550,659	2,842,726
Virgin Islands	35,786	91,002	78,767	86,702	90,076	92,234	474,567
Guam	36,476	99,889	84,389	92,966	94,267	98,926	506,913
American Samoa	35,526	88,940	75,892	83,729	87,645	88,701	460,433
Total apportionment	9,542,500	78,913,285	53,704,534	58,444,305	42,750,000	58,900,000	302,254,624
Contingency	832,500	3,495,433	2,826,555	3,076,016	2,250,000	3,100,000	15,580,504
Total appropriation	10,375,000	82,408,718	56,531,089	61,520,321	45,000,000	62,000,000	317,835,128

TABLE B.—APPROPRIATIONS FROM THE LAND AND WATER CONSERVATION FUND, FISCAL YEARS 1965–71

Fiscal year	States	National Park Service	Forest Service	Bureau of Sport Fisheries and Wildlife	Bureau of Land Management	Contingency	Redwoods	Administration	Total
1965	$10,375,000	$4,805,000	$750,000					$70,000	$16,000,000
1966	82,804,718	21,371,480	16,894,451					1,440,000	122,114,649
1967	56,531,090	20,199,580	14,568,006	$147,915				2,560,000	95,006,591
1968	61,520,321	30,538,163	14,435,238	1,797,637		$2,000,000		2,840,000	113,131,359
1969	44,938,388	30,930,100	11,982,600	748,912		1,000,000	$72,000,000	2,900,000	164,500,000
1970	62,000,000	44,100,000	13,700,000	1,000,000				3,200,000	124,000,000
1971 [1]	185,400,000	115,800,000	38,881,000	8,000,000	$560,000	4,000,000		4,759,000	357,400,000
Total	503,173,517	267,744,323	112,211,295	11,694,464	560,000	7,000,000	72,000,000	17,679,000	992,152,599

[1] Request pending in Congress.

○

Union Calendar No. 581

91st CONGRESS
2d Session

H. R. 15913

[Report No. 91–1225]

IN THE HOUSE OF REPRESENTATIVES

February 16, 1970

Mr. Aspinall (by request) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

June 24, 1970

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

~~That section 2 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended effective March 31, 1970 (16 U.S.C. 4601-5), is further amended as follows:~~

~~(a) Subsection (a) is amended by deleting the last sentence, by changing the period at the end of the first sentence to a colon, and by adding the following: *"Provided,* That in lieu of disposal under the Federal Property and Ad-~~

1 ~~ministrative Services Act of 1949, as amended, of any sur-~~
2 ~~plus real property and related personal property that the~~
3 ~~Secretary of the Interior certifies is needed and suitable for~~
4 ~~public park or recreation uses, suitability being determined~~
5 ~~in the light of the highest and best use of the property under~~
6 ~~present and foreseeable needs, such property shall be trans-~~
7 ~~ferred by the Administrator of General Services to the Secre-~~
8 ~~tary of the Interior, on request of the Secretary; and in fur-~~
9 ~~therance of the purposes of this Act the Secretary is author-~~
10 ~~ized to sell such property to any State, territory or posses-~~
11 ~~sion of the United States, the District of Columbia, the Com-~~
12 ~~monwealth of Puerto Rico, any political subdivision or in-~~
13 ~~strumentality thereof, or municipality for a price deter-~~
14 ~~mined by the Secretary after taking into consideration any~~
15 ~~benefit that has accrued or may accrue to the United States~~
16 ~~from the use of the property by the purchaser. The deed of~~
17 ~~conveyance—~~
18 ~~"(1) shall provide that the property shall be used~~
19 ~~and maintained for the purpose for which it was con-~~
20 ~~veyed in perpetuity, and that in the event that such~~
21 ~~property ceases to be used or maintained for such pur-~~
22 ~~pose all or any portion of such property shall in its then~~
23 ~~existing condition, at the option of the Secretary of the~~
24 ~~Interior, revert to the United States; and~~
25 ~~"(2) may contain such additional terms, reserva-~~

~~tions, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.~~

~~As soon as practicable after the close of each fiscal year the Secretary shall submit to the Congress a report showing the acquisition cost of all real property sold during that year, the sales prices, and the bases on which the sales prices were determined."~~

~~(b) Subsection (c), clause (2), is amended by changing the period at the end thereof to a colon and adding: "Provided further, That the foregoing amount of $200,000,000 in this clause and in clause (1) shall be increased by an amount equal to the net proceeds placed in the fund from the sale of surplus property and related personal property in excess of $54,700,000 in any one year."~~

That subsection 1(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897, 16 U.S.C. 460l–4), is amended as follows:

(a) Strike out "by (1)" and insert "(1) by".

(b) Strike out "and (2)" and insert ", (2) by making available to States lands suitable for recreation use that are excess to the needs of Federal agencies, and (3) by".

Sec. 2. The Land and Water Conservation Fund Act of 1965 is further amended by adding a new section 11 as follows:

1 "SEC. 11. (a) In lieu of disposal under the Federal
2 Property and Administrative Services Act of 1949, as
3 amended, of any surplus real property and related personal
4 property, and deposit of the proceeds received in the Land
5 and Water Conservation Fund, when any Federal real prop-
6 erty and related personal property are declared to be excess to
7 the needs of any Federal agency the Secretary of the Interior
8 shall determine whether they are needed and suitable for State
9 or local public park or recreation uses, suitability being de-
10 termined in the light of the highest and best use of the property
11 under present and foreseeable needs. If the Secretary makes
12 an affirmative determination, and if the property is trans-
13 ferred by the Administrator of General Services, in his dis-
14 cretion, to the Secretary of the Interior in accordance with
15 the provisions of the Federal Property and Administrative
16 Services Act of 1949, the Secretary is authorized to convey
17 such property in furtherance of the purposes of this Act to
18 any State, territory, or possession of the United States, the
19 District of Columbia, the Commonwealth of Puerto Rico,
20 any political subdivision or instrumentality thereof, or munici-
21 pality for a consideration or without consideration as elected
22 by the grantee from one of the following alternatives:
23 "(1) a price determined by the Secretary after tak-
24 ing into consideration any benefit that has been accrued
25 or may accrue to the United States from the use of the
26 property by the purchaser;

1 *"(2) no consideration where the Uinted States ac-*
2 *quired the land involved by donation from the grantee;*
3 *"(3) a price equal to the consideration paid by the*
4 *United States when it acquired the land:*
5 *Provided, that under each of the foregoing alternatives the*
6 *guarantee may be required to pay the value, as determined*
7 *by the Secretary, of any improvements constructed by the*
8 *United States which the Secretary determines will probably*
9 *be used for other than park or recreation purposes.*
10 *"(b) The deed of conveyance—*
11 *"(1) shall provide that the property shall be used*
12 *and maintained for the purpose for which it was con-*
13 *veyed in perpetuity, and that in the event such property*
14 *ceases to be used or maintained for such purpose all or*
15 *any portion of such property shall in its then existing*
16 *condition, at the option of the Secretary of the Interior,*
17 *revert to the United States;*
18 *"(2) may contain such additional terms, reserva-*
19 *tions, restrictions, and conditions as may be determined*
20 *by the Secretary of the Interior to be necessary to safe-*
21 *guard the interests of the United States; and*
22 *"(3) shall not be executed until sixty days after*
23 *the proposed conveyance has been transmitted to the*
24 *Committees on Interior and Insular Affairs of the Sen-*
25 *ate and House of Representatives respectively.*

1 *"(c) As soon as practicable after the close of each fiscal*
2 *year the Secretary shall submit to the Congress a report*
3 *showing the acquisition cost of all real property and related*
4 *personal property sold during that year, the sales prices, and*
5 *the bases on which the sales prices were determined."*
6 *Sec. 3. Subsection 5(b), paragraph (2), of the Land*
7 *and Water Conservation Fund Act of 1965 (16 U.S.C.*
8 *460l–8) is amended as follows:*
9 *(a) After "United States" insert a comma and strike*
10 *out "and of".*
11 *(b) After "outside the State" insert a comma and strike*
12 *out "as well as a consideration of".*
13 *(c) At the end of the paragraph change the period to a*
14 *comma and add "and any conveyance of excess Federal*
15 *property pursuant to section 11 of this Act."*
16 *Sec. 4. Subsection 2(c) of the Land and Water Con-*
17 *servation Fund Act of 1965 (16 U.S.C. 460l–5(c)) is*
18 *amended as follows:*
19 *(a) In clause (1), strike out "five fiscal years beginning*
20 *July 1, 1968, and ending June 30, 1973" and insert "fiscal*
21 *years 1968, 1969, and 1970, and not less than $300,000,000*
22 *for each fiscal year thereafter through June 30, 1989."*
23 *(b) In clause (2), after "$200,000,000" insert "or*
24 *$300,000,000" and after "for each of such fiscal years,"*
25 *insert "as provided in clause (1),"*

Union Calendar No. 581

91st CONGRESS
2d Session

H. R. 15913

[Report No. 91–1225]

A BILL

To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes.

By Mr. Aspinall

February 16, 1970

Referred to the Committee on Interior and Insular Affairs

June 24, 1970

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Union Calendar No. 71

H. R. 15013

[Report No. 81—1st]

A BILL

HOUSE

(6) RULES GRANTED.

H. Res. 1149, providing for the consideration of HR 15913, to amend the Land and Water Conservation Fund Act of 1965, was reported. p. H6963

7 REPORTS FILED.

Conference report on S. 3685, increasing availability of mortgage credit for home financing (H. Rept. No. 91-1311). The House agreed to this report and the bill now goes to the President. pp. H6963, H6930-3

Committee on Government Operations reported HR 18275, providing for the disposal of surplus Federal property for park and recreational uses (H. Rept. No. 91-1313). p. H6963

Committee Post Office and Civil Service issued a report "Decennial Population Census and Congressional Apportionment" (H. Rept. No. 91-1314). p. H6963

POLLUTION. Rep. Monagan submitted an editorial for the Record, "Methyl Mercury" discussing the potential danger of mercury contamination. pp. H6951-2

GRAINS; EXPORTS. Rep. Mize commended the Department for its actions in building export markets for grains. p. H6942

REORGANIZATION. Rep. Gude stated "approval of the President's reorganization plan (#3) is a must if we are serious about arresting the deterioration of our environment". p. H6945

WILDLIFE. Received a memorial from the California legislature relative to a national wildlife refuge for South San Francisco Bay; to the Committee on Merchant Marine and Fisheries. p. H6965

ADJOURNMENT. Agreed to H.Con.Res. 689, providing for the adjournment of the House from August 14 to September 9. pp. H6941-2

EXTENSION OF REMARKS

RURAL HOUSING. Rep. Eckhardt inserted a speech discussing the role of private and public groups in meeting the housing problem in small towns and rural areas. pp. H6803-4

FARMERS. Rep. Quillen stated the efforts of American farmers are rarely singled out for the recognition they deserve and placed an editorial in the Record pointing out some statistics. p. E6804

POLLUTION. Rep. Long, Md., called attention to an editorial praising recent state legislation to permit rapid action against many water polluting conditions. p. E6808

Rep. Carter submitted an article for the Record warning that the Kentucky River is in danger of being destroyed in the future by pollution and proposing action to protect it. pp. E6817-8

BILLS INTRODUCED

16. SOCIAL SECURITY. H.R. 18519, by Rep. Fulton, to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

17. AGING. H.R. 18520, by Rep. Meeds, to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

18. NATIONAL PARK. H.R. 18527, by Rep. Eckhardt, to authorize the establishment of the Big Thicket National Park in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

19. TOBACCO. H.R. 18530, by Rep. Fuqua, to amend the Agricultural Adjustment Act of 1938 to authorize the sale of tobacco acreage allotments under certain conditions to the Committee on Agriculture.

20. ENVIRONMENT. H.R. 18534, by Rep Miller, to amend the National Environmental Policy Act of 1969 to provide a program for honoring industry and other private efforts to contribute to the maintenance and enhancement of environmental quality; to the Commission on Merchant Marine and Fisheries.

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COMMITTEE HEARINGS ANNOUNCEMENTS:

JULY 21: Farm bill, H. Agriculture (exec.)
Establishing refuge for tule elk and providing penalty for shooting at certain animals from an aircraft, H. Merchant Marine (exec.)
Interior appropriations, conferees, (exec.)
Proposed Family Assistance Act, S. Finance
Migratory farmworkers, S. Labor and Public Welfare

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61. Don Edwards.
62. John Jarman.
63. Charles W. Whalen, Jr.
64. Samuel S. Stratton.
65. Frank Horton.
66. James G. Fulton.
67. Harold D. Donohue.
68. Philip J. Philbin.
69. Edward A. Garmatz.
70. Andrew Jacobs, Jr.
71. Lester L. Wolff.
72. Joseph G. Minish.
73. Joe L. Evins.
74. Keith G. Sebelius.
75. John Wold.
76. Edwin D. Eshleman.
77. Paul Findley.
78. William S. Broomfield.
79. Earle Cabell.
80. Richardson Preyer.
81. William A. Barrett.
82. John C. Kluczynski.
83. James Kee.
84. Wilbur D. Mills.
85. Robert M. Giaimo.
86. Tom Steed.
87. William L. Springer.
88. John V. Tunney.
89. Morris K. Udall.
90. Julia Butler Hansen.
91. Glenn Cunningham.
92. Richard L. Roudebush.
93. Wayne N. Aspinall.
94. Seymour Halpern.
95. Tom S. Gettys.
96. John J. McFall.
97. Walter B. Jones.
98. Martin B. McKneally.
99. Robert L. F. Sikes.
100. John E. Hunt.
101. Clark MacGregor.
102. Jonathan B. Bingham.
103. B. F. Sisk.
104. Michael Harrington.
105. Ogden R. Reid.
106. Frank M. Clark.
107. James C. Corman.
108. Thomas P. O'Neill Jr.
109. Alton Lennon.
110. Torbert H. MacDonald.
111. Melvin Price.
112. Carleton J. King.
113. Donald E. Lukens.
114. John M. Slack.
115. John Brademas.
116. Catherine May.
117. Joseph E. Karth.
118. Tom Bevill.
119. Otto E. Passman.
120. W. C. Daniel.
121. George E. Shipley.
122. Chet. Holifield.
123. John W. Davis.
124. Robert E. Jones.
125. Charles S. Gubser.
126. Gilbert Gude.
127. Barry M. Goldwater, Jr.
128. Frank J. Brasco.
129. John Melcher.
130. Carl D. Perkins.
131. Dante B. Fascell.
132. Thomas S. Foley.
133. Joseph M. Gaydos.
134. Nick Galifianakis.
135. David Pryor.
136. Brad Morse.
137. Phil M. Landrum.
138. J. J. Pickle.
139. John H. Dent.
140. Bill Nichols.
141. Paul G. Rogers.
142. Al Ullman.
143. Frank A. Stubblefield.
144. Charles C. Diggs, Jr.
145. Dominick V. Daniels.
146. Joseph P. Vigorito.
147. Robert O. Tiernan.
148. Bill D. Burlison.
149. Jack Brinkley.
150. William F. Ryan.
151. Barber B. Conable, Jr.
152. Don H. Clausen.
153. Philip M. Crane.
154. Bob Eckhardt.
155. Ed Edmondson.
156. Daniel J. Flood.
157. Edward R. Roybal.
158. Mendel Rivers.
159. Wright Patman.
160. Bill Alexander.
161. John M. Murphy.
162. Thomas L. Ashley.
163. John M. Zwach.
164. Fred Schwengel.
165. Richard D. McCarthy.
166. William D. Widnall.
167. Richard Bolling.
168. Henry S. Reuss.
169. Jerry L. Pettis.
170. Jacob H. Gilbert.
171. William R. Anderson.
172. Lee H. Hamilton.
173. John Conyers, Jr.
174. William H. Natcher.
175. Charles M. Teague.
176. Thaddeus J. Dulski.
177. Ray Blanton.
178. Leonard Farbstein.
179. John L. McMillan.
180. Jack McDonald.
181. Philip E. Ruppe.
182. Guy Vander Jagt.
183. John Young.
184. Lowell P. Weicker, Jr.
185. Daniel E. Button.
186. John Dowdy.
187. Silvio O. Conte.
188. James M. Hanley.
189. John H. Rousselot.
190. J. Irving Whalley.
191. John C. Culver.
192. Watkins M. Abbitt.
193. Peter Kyros.
194. Jim Wright.
195. Thomas M. Pelly.
196. Joel T. Broyhill.
197. James C. Cleveland.
198. Howard W. Robison.
199. Tim Lee Carter.
200. Hale Boggs.
201. Ben Reifel.
202. Charles H. Wilson.
203. G. William Whitehurst.
204. Dan Kuykendall.
205. Wilmer D. Mizell.
206. Charlotte T. Reid.
207. Alvin E. O'Konski.
208. Louis Frey, Jr.
209. James F. Hastings.
210. Sam Steiger.
211. R. L. Coughlin.
212. John J. Duncan.
213. John T. Rhodes.
214. Albert H. Quie.
215. John O. Marsh.
216. Rogers C. B. Morton.
217. Charles A Mosher.
218. John Dellenback.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2221. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report of a third-country transfer of U.S. origin defense articles to which the U.S. Government has given consent under the provisions of section 505(a)(4) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2222. A letter from the Assistant Secretary of the Interior, transmitting a report on the Closed Basin division. San Luis Valley project, Colorado, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. 91-369); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

2223. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according to certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2224. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 12, 1969, submitting a report, together with accompanying papers and illustrations, on Choptank River, Caroline County, Md., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959. No. authorization by Congress is recommended as the desired improvement has been approved by the Chief of Engineers for accomplishment under the provisions of section 107 of the River and Harbor Act of 1960; to the Committee on Public Works.

2225. A letter from the Secretary of the Interior, transmitting the annual report on the National Visitor Center and all other visitor facilities authorized in accordance with Public Law 90-264; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee of conference. Conference report on S. 3685 (Rept. No. 91-1311). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 18110. A bill to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning; with an amendment (Rept. No. 91-1312). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 18275. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the disposal of surplus Federal property for park and recreational uses, and for other purposes (Rept. No. 91-1313). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. Decennial Population Census and Congressional apportionment (Rept. No. 91-1314). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 1148. Resolution for consideration of

S. 3978, an act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1971 (Rept. No. 91–1315). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1149. Resolution for consideration of H.R. 15913, a bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes (Rept. No. 91–1316). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1150. Resolution for consideration of H.R. 18104, a bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority (Rept. No. 91–1317). Referred to the House Calendar.

Mr. YOUNG. Committee on Rules. House Resolution 1151. Resolution waiving points of order against H.R. 18515, a bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1971, and for other purposes (Rept. No. 91–1318). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 18516. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to permit airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, as well as the advertising related thereto, to show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 18517. A bill relating to the control of organized crime in the United States; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 18518. A bill to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 18519. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 18520. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. MICHEL:

H.R. 18521. A bill to repeal certain provisions of the Airport and Airway Development Act of 1970; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 18522. A bill to provide for a voluntary system of meeting the military manpower needs of the Nation; to the Committee on Armed Services.

H.R. 18523. A bill to provide Federal financial assistance to help cities and communities of the United States to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning, and to require an effective plan for the elimination of lead-based paint poisoning as a condition of Federal assistance under certain other programs; to the Committee on Banking and Currency.

By Mr. O'NEILL of Massachusetts:

H.R. 18524. A bill to repeal certain provisions of the Airport and Airway Development Act of 1970; to the Committee on Ways and Means.

By Mr. RODINO (for himself and Mrs. CHISHOLM):

H.R. 18525. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BOW:

H.R. 18526. A bill to assure performance of obligations undertaken by operators of international tour groups; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT:

H.R. 18527. A bill to authorize the establishment of the Big Thicket National Park in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOLEY:

H.R. 18528. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. FOREMAN:

H.R. 18529. A bill to repeal certain laws relating to Indians; to the Committee on Interior and Insular Affairs.

By Mr. FUQUA:

H.R. 18530. A bill to amend the Agricultural Adjustment Act of 1938 to authorize the sale of tobacco acreage allotments under certain conditions; to the Committee on Agriculture.

By Mr. HAGAN:

H.R. 18531. A bill to authorize the Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation and fishery programs; to the Committee on Merchant Marine and Fisheries.

By Mr. HECHLER of West Virginia:

H.R. 18532. A bill to end conscription under the Military Selective Service Act of 1967, to provide increased military pay and other benefits necessary to effect a voluntary system of meeting the military manpower requirements of the United States, and for other purposes; to the Committee on Armed Services.

By Mr. MESKILL:

H.R. 18533. A bill to establish an Intergovernmental Commission on Long Island Sound; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of Ohio:

H.R. 18534. A bill to amend the National Environmental Policy Act of 1969 to provide a program for honoring industry and other private efforts to contribute to the maintenance and enhancement of environmental quality; to the Commission on Merchant Marine and Fisheries.

By Mr. RIVERS:

H.R. 18535. A bill to amend title 10, United States Code, to authorize the Secretary of a military department to adjust the legislative jurisdiction exercised by the United States over lands or interests under his control; to the Committee on Armed Services.

By Mr. STUBBLEFIELD:

H.R. 18536. A bill to amend appropriate section of Omnibus Rivers and Harbors bill with respect to western Kentucky tributaries, Kentucky; to the Committee on Public Works.

By Mr. VANIK:

H.R. 18537. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to require that airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 18538. A bill to amend title IV of the Higher Education Act of 1965 to establish a Student Loan Marketing Association; to the Committee on Education and Labor.

By Mr. BINGHAM:

H.R. 18539. A bill to limit the authority of the President of the United States to intervene abroad or to make war without the express consent of the Congress; to the Committee on Foreign Affairs.

By Mr. HOWARD:

H.R. 18540. A bill to permit actions against the United States for damage to the good name and reputation of members of the Armed Forces wrongfully charged with committing certain crimes against civilians in combat zones, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 18541. A bill to authorize the coinage of 50-cent pieces to commemorate the Apollo Moon Landing and to assist in the construction of the National Air and Space Museum; to the Committee on Banking and Currency.

By Mr. CHARLES H. WILSON (by request):

H.R. 18542. A bill to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government; to the Committee on Government Operations.

By Mr. GERALD R. FORD:

H.J. Res. 1312. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the mittee on the Judiciary.

By Mr. KLEPPE:

H.J. Res. 1313. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote citizens 18 years of age or older; to the Committee on the Judiciary.

By Mrs. MAY:

H.J. Res. 1314. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.J. Res. 1315. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 19 years of age or older; to the Committee on the Judiciary.

By Mr. RHODES:

H.J. Res. 1316. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. WYATT:

H.J. Res. 1317. Joint resolution proposing and amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

For actions of August 10, 1970
91st-2nd; No. 137

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HIGHLIGHTS: House committee reported Food Stamp bill.
House passed bill amending Land and Water Conservation Fund Act of 1965.
Sen. Hatfield discussed Oregon farm support payments based on Agriculture Department table.

HOUSE

1. FOOD STAMP. The Agriculture Committee reported with amendment, HR 18582, to amend the Food Stamp Act of 1964 (H. Rept. No. 91-1402). p. H8048

2. RECREATION. Passed H.R. 15913, with amendment, to amend the Land and Water Consersvation Fund Act of 1965. Subsequently, this passage was vacated and S. 1708, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the House bill as passed. ~~A similar House bill, H. R. 18275, was laid on the table.~~ pp. H8010-8

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

3. RIVER BASIN PROJECT. Appointed conferees on S. 3547, authorizing the construction operation, and maintenance of the Narrows unit, Missouri River Basin project, Colorado. p. H7985

4. ADJOURNMENT. Agreed to the Senate amendment to H. Con. Res. 689, providing for the summer recess of the Congress. p. H7985

5. CONSUMERS. Rep. Farbstein inserted additional material relating to grocery stores food-dating practices. pp. H8024-6

6. INFLATION. Rep. Patman quoted from the Administration's "Inflation Alert" to prove that high interest rates are "major contributing factors to all of the price rises in the economy" and urged the President to use the powers given to him by P.L. 91-151. pp. H8027-8

7. PERSONNEL; WAGES. Committee on Rules reported H. Res. 1182, providing for the consideration of H.R. 17809, providing an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government (H. Rept. No. 91-1393). p. H8048

SENATE

8. ENVIRONMENT. Both Houses received a message from the President conveying the repo of the Council on Environmental Quality. pp. S12994-6, pp. H7985-8

9. APPROPRIATIONS; NATIONAL FOREST. Both Houses received the following letters: fro the Director, OMB, an interim report on fiscal year 1970 outlay limitations as of June 30, 1970 (H. Doc. 91-373), to the Committees on Appropriations; and from the Under Secretary of Agriculture, a draft of proposed legislation to extend th boundaries of the Arapaho National Forest (to Committees on Interior & Insular Affairs). p. S12997; p. H8047

10. FARM SUPPORTS. Sen. Hatfield reviewed a report of farm support payments paid to Oregon farmers and placed a Department of Agriculture table in the Record. pp. S13033-4

11. MIGRANT WORKERS. Sen. Holland asserted that recent reports on the condition of migrants in Florida were slanted in an unfavorable way, with no attempt made to show positive action to improve the lot of the migrant. pp. S13012-3

12. RURAL DEVELOPMENT. Sen. McClellan praised the President for his statement in Farg on the need to continue the reversal of urban migration, and placed in the Recor excerpts from the President's speech & a newspaper article. pp. S13023-24

States. Its young men are eligible for military service. Seven hundred forty-two of them were drafted last year. It is rank hypocrisy to continue to deny them the most elemental rights of citizenship.

We preach democracy to the world and yet we deny a voice in our Government to the people who live closest to it. Simple justice demands that we boldly move forward to the day of true citizenship and complete home rule for the citizens of Washington, D.C.

There is ample precedent surrounding our action today. The District of Columbia had a nonvoting delegate in the House from 1871 to 1874. This small step presently being considered to provide a voice without a vote will pave the way so that someday this Capital will proundly boast of its own elected representatives. In my judgment, we ought to begin immediate work on an amendment to the Constitution which would allow the District of Columbia two Senators and two Representatives to represent their 800,000 citizens. Second, we ought to pass legislation similar to the bill I introduced last year that would bring complete local self-government to Washington, D.C. The people of Washington deserve to have their voice heard in the House of Representatives right now. They have been exceedingly patient. Congress has isolated itself from almost 1 million Americans. Let us bring one of them into the House and let him be heard. I urge passage of H.R. 18725, the nonvoting delegate bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 300, nays 57, not voting 72, as follows:

[Roll No. 266]

YEAS—300

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brinkley
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Carey
Casey
Cederberg
Chamberlain
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Crane
Culver
Daniels, N.J.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Diggs
Dingell
Donohue
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jonas
Karth
Kastenmeier
Kazen
Kee
Keith
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Langen
Latta
Leggett
Lloyd
Long, Md.
Lowenstein
Lujan
McCarthy
McClory
McCloskey
McClure
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
Madden
Mahon
Mann
Marsh
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Konski
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Quie
Quillen
Railsback
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegle
Robison
Rodino
Roe
Rogers, Fla.
Rooney, Pa.
Rosenthal
Roth
Roybal
Ruppe
Ruth
St Germain
Sandman
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Sebelius
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Taft
Talcott
Taylor
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Wampler
Watts
Whalen
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wolff
Wyatt
Wyder
Wylie
Yates
Yatron
Zablocki
Zion

NAYS—57

Abbitt
Abernethy
Andrews, Ala.
Ashbrook
Aspinall
Bevill
Blackburn
Blanton
Brooks
Broyhill, Va.
Burlison, Mo.
Cabell
Camp
Chappell
Clark
Collins
Colmer
Daniel, Va.
Dorn
Fisher
Flowers
Fuqua
Gettys
Griffin
Gross
Haley
Hall
Henderson
Hull
Jarman
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Landrum
Lennon
McMillan
Martin
Montgomery
Nichols
Poage
Purcell
Randall
Rivers
Roberts
Satterfield
Saylor
Schmitz
Scott
Sikes
Steed
Stephens
Stuckey
Teague, Tex.
Waggonner
Watson
Whalley
Whitten

NOT VOTING—72

Alexander
Anderson, Tenn.
Baring
Berry
Biaggi
Bray
Brock
Brown, Mich.
Burleson, Tex.
Bush
Caffery
Carter
Celler
Clay
Cramer
Cunningham
Daddario
Davis, Ga.
Dawson
Delaney
Dickinson
Dowdy
Dwyer
Edwards, Ala.
Edwards, La.
Evins, Tenn.
Fallon
Farbstein
Fish
Flynt
Gallagher
Garmatz
Goldwater
Hagan
Hastings
Hébert
King
Kleppe
Long, La.
Lukens
McCulloch
McKneally
MacGregor
Mailliard
Meskill
Monagan
O'Hara
Olsen
O'Neal, Ga.
Passman
Patman
Pollock
Powell
Price, Tex.
Rarick
Reifel
Rogers, Colo.
Rooney, N.Y.
Rostenkowski
Roudebush
Rousselot
Ryan
Sullivan
Symington
Teague, Calif.
Tunney
Vander Jagt
Weicker
Wright
Wyman
Young
Zwach

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney of New York for, with Mr. Passman against.

Mr. Rostenkowski for, with Mr. Rarick against.

Mr. Olsen for, with Mr. Long of Louisiana against.

Mr. Biaggi for, with Mr. Caffery against.

Mr. Fallon for, with Mr. Hébert against.

Mr. Gallagher for, with Mr. O'Neal of Georgia against.

Mr. O'Hara for, with Mr. Davis of Georgia against.

Mr. Daddario for, with Mr. Burleson of Texas against.

Mr. Garmatz for, with Mr. Hagan of Georgia against.

Mr. Delaney for, with Mr. Dowdy against.

Mr. Celler for, with Mr. Flynt against.

Until further notice:

Mr. Ryan with Mr. Edwards of Alabama.

Mrs. Sullivan with Mr. Dickinson.

Mr. Evins of Tennessee with Mr. Bray.

Mr. Edwards of Louisiana with Mr. Brock.

Mr. Monagan with Mr. Brown of Michigan.

Mr. Patman with Mr. Bush.

Mr. Rogers of Colorado with Mr. Carter.

Mr. Symington with Mr. Clay.

Mr. Tunney with Mr. Powell.

Mr. Farbstein with Mr. Weicker.

Mr. Wright with Mr. Crane.

Mr. Alexander with Mr. Cunningham.

Mr. Anderson of Tennessee with Mrs. Dwyer.

Mr. Baring with Mr. Fish.

Mr. Young with Mr. Goldwater.

Mr. Hastings with Mr. Kleppe.

Mr. King with Mr. Lukens.

Mr. McKneally with Mr. McCulloch.

Mr. Mailliard with Mr. Berry.

Mr. Meskill with Mr. MacGregor.

Mr. Reifel with Mr. Pollock.

Mr. Teague of California with Mr. Price of Texas.

Mr. Wyman with Mr. Roudebush.

Mr. Zwack with Mr. Rousselot.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the District bills just passed.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CORRECTION OF CONFERENCE REPORT ON H.R. 17711, AMENDING THE DISTRICT OF COLUMBIA COOPERATIVE ASSOCIATION ACT

Mr. McMILLAN. Mr. Speaker, On August 6, 1970, I filed a conference report (H. Rept. 91-1381) on the bill (H.R. 17711) amending the District of Columbia Cooperative Association Act. The conference report was incorrectly

printed in the CONGRESSIONAL RECORD for that day.

I therefore ask unanimous consent that the correct text of the conference report on H.R. 17711 be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CONFERENCE REPORT (H. REPT. 91-1381)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17711) to amend the District of Columbia Cooperative Association Act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

JOHN L. MCMILLAN,
JOHN DOWDY,
DON FUQUA,
ANCHER NELSEN,
JOEL T. BROYHILL,
Managers on the Part of the House.

JOSEPH D. TYDINGS,
WILLIAM B. SPONG, JR.,
THOMAS F. EAGLETON,
CHARLES MCC. MATHIAS, JR.,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17711) to amend the District of Columbia Cooperative Association Act, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment added a new section (sec. 2), not included in the House bill, which authorized the District of Columbia Council from time to time to provide by regulation for the exemption from chapter 33 of title 28, District of Columbia Code, any mortgage or loan insured or guaranteed under the National Housing Act or chapter 37 of title 38, United States Code, which is subject to regulation by an officer or agency of the Federal Government.

The conference agreement adopts the Senate provision.

JOHN L. MCMILLAN,
JOHN DOWDY,
DON FUQUA,
ANCHER NELSEN,
JOEL T. BROYHILL,
Managers on the Part of the House.

PROVIDING FOR CONSIDERATION OF H.R. 15913, AMENDING LAND AND WATER CONSERVATION FUND ACT OF 1965, AS AMENDED

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1149 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1149

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15913) to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 15913, the Committee on Interior and Insular Affairs shall be discharged from the further consideration of the bill S. 1708, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 15913 as passed by the House.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN) pending which I yield myself such time as I may consume.

Mr. Speaker, I hope to speak on this matter briefly, but in order to be fair to the House, it is important to describe the situation in which we find ourselves.

The proposition brought before the House by the rule now under consideration would do two things. It would provide for a method of using property, land found surplus for park and recreational purposes, and it would increase the amount of the land and water conservation fund from within $200 to $300 million after fiscal year 1970.

When the matter came before the Committee on Rules, there was a jurisdictional conflict between the House Committee on the Interior and Insular Affairs, and the House Committee on Government Operations.

There is also on the calendar a rule, House Resolution 1164, making in order H.R. 18275, an amendment to the Federal Property Administrative Services Act, which would have dealt with the matter in a different way.

This is where the conflict between the Committee on Interior and Insular Affairs and the Committee on Government Operations became clear.

The Committee on Rules felt very strongly that the matter should be reconciled by the two committees. It therefore reported rules on both bills and communicated its views to both committees. Whether that had any influence or not is not pertinent, but the fact remains that the two committees have reconciled any differences that existed, that the matter made in order by this rule will have offered to it an amendment offered by the gentleman from Texas (Mr. BROOKS) acting for the Committee on Government Operations, which is wholly acceptable, as I understand it, to the Committee on Interior and Insular Affairs. There will be no conflict and the matter will, to the best of my knowledge, be totally without controversy and presumably can be passed in a few minutes.

I therefore, after the adpotion of this rule, propose to ask unanimous consent to table the other rule, to dispose of that aspect, and I understand, as I have suggested, the matter will proceed and I understand proceed expeditiously.

Mr. Speaker, I reserve the remainder of my time.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MARTIN asked and was given permission to revise and extend his remarks.)

Mr. MARTIN. Mr. Speaker, as the gentleman from Missouri has explained, House Resolution 1149 provides for an open rule with 1 hour of debate on H.R. 15913, to amend the Land and Water Conservation Fund Act of 1965, as amended.

The purpose of the bill is to increase the effectiveness of the land and water conservation fund program by providing a system for utilizing suitable, unneeded Federal lands for park and recreation purposes, and by increasing the moneys available for purchases by the land and water conservation fund.

The bill increases the level of the land and water conservation fund to $300,000,000 annually, an increase of $100,000,000 from the present level. Money in the Fund is used by the Government to purchase land for park and recreational purposes. Funds from three sources have traditionally been covered into the land and water conservation fund from: First, entrance and user fees; second, motorboat fuel taxes; and third, revenues from the sale of surplus real property owned by the Government.

Revenues from these sources have not produced funds at the anticipated levels. The act authorizes appropriations to make up the difference between the revenues of the fund and the authorized expenditure level of $200,000,000. If appropriations were not forthcoming, a transfer of funds from the Outer Continental Shelf revenues was required automatically to insure that the land and water conservation fund received $200,000,000 annually to expend on land purchases. This procedure is continued under the proposed legislation but the annual expenditure figure is set at $300,000,000.

The bill also authorizes the Administrator of the General Services Administration to transfer unneeded and excess Federal properties which are suitable for park or recreational purposes to the Secretary of the Interior for conveyance to the States or local agencies. This is proposed to insure the continued growth of State and local recreational and park programs. The Administrator of GSA will lose none of his authority with respect to land disposal. He retains full authority to determine what is excess, and if it is, to further determine whether it is suitable for park or recreational purposes. Only after he makes both affirmative decisions can such excess land be conveyed to the Secretary of the Interior for transfer to the State or local authority involved.

The committee believes that by expanding our park and recreational land acquisition and development programs in these two ways we can better insure adequate facilities in future years.

The administration supports the bill as evidenced by letters from the Department of the Interior and the Bureau of the Budget.

Mr. Speaker, I reserve the remainder of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TABLING OF HOUSE RESOLUTION 1164 AND H.R. 18275

Mr. BOLLING. Mr. Speaker, I ask unanimous consent to lay on the table House Resolution 1164; and subsequent to that, by agreement, I propose to ask unanimous consent to lay the bill which it makes in order on the table.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, I ask unanimous consent to lay on the table H.R. 18275.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDING LAND AND WATER CONSERVATION FUND ACT OF 1965, AS AMENDED

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15913) to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes, in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill as follows:

H.R. 15913

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended effective March 31, 1970 (16 U.S.C. 4601–5), is further amended as follows:

(a) Subsection (a) is amended by deleting the last sentence, by changing the period at the end of the first sentence to a colon, and by adding the following: *"Provided,* That in lieu of disposal under the Federal Property and Administrative Services Act of 1949, as amended, of any surplus real property and related personal property that the Secretary of the Interior certifies is needed and suitable for public park or recreation uses, suitability being determined in the light of the highest and best use of the property under present and foreseeable needs, such property shall be transferred by the Administrator of General Services to the Secretary of the Interior, on request of the Secretary; and in furtherance of the purposes of this Act the Secretary is authorized to sell such property to any State, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any political subdivision or instrumentality thereof, or municipality for a price determined by the Secretary after taking into consideration any benefit that has accrued or may accrue to the United States from the use of the property by the purchaser. The deed of conveyance—

"(1) shall provide that the property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event that such property ceases to be used or maintained for such purpose all or any portion of such property shall in its then existing condition, at the option of the Secretary of the Interior, revert to the United States; and

"(2) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

As soon as practicable after the close of each fiscal year the Secretary shall submit to the Congress a report showing the acquisition cost of all real property sold during that year, the sales prices, and the bases on which the sales prices were determined."

(b) Subsection (c), clause (2), is amended by changing the period at the end thereof to a colon and adding: *"Provided further,* That the foregoing amount of $200,000,000 in this clause and in clause (1) shall be increased by an amount equal to the net proceeds placed in the fund from the sale of surplus property and related personal property in excess of $54,700,000 in any one year."

With the following committee amendment:

Page 1, beginning on line 3, strike all after the enacting clause and insert in lieu thereof the following:

That subsection 1(b) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897, 17 U.S.C. 4601–4), is amended as follows:

(a) Strike out "by (1)" and insert "(1) by".

(b) Strike out "and (2)" and insert ", (2) by making available to States lands suitable for recreation use that are excess to the needs of Federal agencies, and (3) by".

SEC. 2. The Land and Water Conservation Fund Act of 1965 is further amended by adding a new section 11 as follows:

"SEC. 11. (a) In lieu of disposal under the Federal Property and Administrative Services Act of 1949, as amended, of any surplus real property and related personal property, and deposit of the proceeds received in the Land and Water Conservation Fund, when any Federal real property and related personal property are declared to be excess to the needs of any Federal agency the Secretary of the Interior shall determine whether they are needed and suitable for State or local public park or recreation uses, suitability being determined in the light of the highest and best use of the property under present and foreseeable needs. If the Secretary makes affirmative determination, and if the property is transferred by the Administrator of General Services, in his discretion, to the Secretary of the Interior in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, the Secretary is authorized to convey such property in furtherance of the purposes of this Act to any State, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any political subdivision or instrumentality thereof, or municipality for a consideration or without consideration as elected by the grantee from one of the following alternatives:

"(1) a price determined by the Secretary after taking into consideration any benefit that has accrued or may accrue to the United States from the use of the property by the purchaser;

"(2) no consideration where the United States acquired the land involved by donation from the grantee;

"(3) a price equal to the consideration paid by the United States when it acquired the land:

Provided, That under each of the foregoing alternatives the grantee may be required to pay the value, as determined by the Secretary, of any improvements constructed by the United States which the Secretary determines will probably be used for other than park or recreation purposes.

"(b) The deed of conveyance—

"(1) shall provide that the property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event such property ceases to be used or maintained for such purpose all or any portion of such property shall in its then existing condition, at the option of the Secretary of the Interior, revert to the United States;

"(2) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States; and

"(3) shall not be executed until sixty days after the proposed conveyance has been transmitted to the Committees on Interior and Insular Affairs of the Senate and House of Representatives respectively.

"(c) As soon as practicable after the close of each fiscal year the Secretary shall submit to the Congress a report showing the acquisition cost of all real property and related personal property sold during that year, the sales prices, and the bases on which the sales prices were determined."

SEC. 3. Subsection 5(b), paragraph (2), of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8) is amended as follows:

(a) After "United States" insert a comma and strike out "and of".

(b) After "outside the State" insert a comma and strike out "as well as a consideration of".

(c) At the end of the paragraph change the period to a comma and add "and any conveyance of excess Federal property pursuant to section 11 of this Act."

SEC. 4. Subsection 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c)) is amended as follows:

(a) In clause (1), strike out "five fiscal years beginning July 1, 1968, and ending June 30, 1973" and insert "fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989."

(b) In clause (2), after "$200,000,000" insert "or $300,000,000" and after "for each of such fiscal years," insert "as provided in clause (1),"

Mr. ASPINALL (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I move to strike the last word.

Mr. Speaker, no one knows more than I that the hour is growing late.

The distinguished gentleman from Missouri has explained the purpose of the legislation.

This is legislation to which all of us have referred a great many times during the past several months. The only reason why we could not bring the legislation

before the House was this jurisdictional question between the Committee on Interior and Insular Affairs and the Committee on Government Operations.

We resolved this because we left the jurisdiction having to do with the matter of surplus property to be taken care of by the action of the Committee on Government Operations. As has been stated, the gentleman from Texas (Mr. BROOKS) will offer an amendment to that effect. As far as the jurisdiction of the Committee on Interior and Insular Affairs is concerned, that has to do with the increase in the land and water conservation fund from the present level of $200 million to $300 million so that the recreation needs of the Nation may be taken care of.

Mr. Speaker, H.R. 15913 combines in one measure the key elements of several bills referred to the Committee on Interior and Insular Affairs which would amend the Land and Water Conservation Fund Act. The bill would expand the provisions of that act to assist the States and their localities in fulfilling their outdoor recreation objectives and it would enlarge the land and water conservation fund to more adequately meet the future financial needs of the Federal outdoor recreation program.

In blending together several features of various legislative proposals, the committee sought to accomplish two important objectives:

First, H.R. 15913 seeks to make unneeded Federal lands, which are suitable for recreation and park uses, available to the States and localities at a public service discount so that they can be used to expand the Nation's supply of outdoor recreation resources. This, we feel, is consistent with the long-term objective of the land and water conservation fund program.

Second, H.R. 15913 seeks to increase the level of the fund so that it can more adequately meet the present and future outdoor recreation needs of the Nation.

As everyone knows, the Land and Water Conservation Fund Act authorizes the appropriation of matching funds to assist the States and their local entities in the acquisition and development of outdoor recreation facilities. This has been a very valuable element in the overall national outdoor recreation program and it has materially assisted the States and their localities.

UES OF UNNEEDED FEDERAL LANDS FOR PARK AND RECREATION PURPOSES

One of the key provisions of the legislation which the committee is now recommending would amend the basic act so that the State assistance aspect of the Federal program could include, in addition to dollar grants, grants of land which are suitable for outdoor recreation purposes and which are not needed for Federal purposes. By making these unneeded Federal lands available to State and local entities, we can expand the Nation's supply of outdoor recreation resources by simply converting them to their best possible public use.

The procedures under which State and local agencies could benefit from this new program are outlined in detail in the bill. They are similar to the procedures presently applicable to surplus lands made available for health and education purposes.

Mr. Speaker, the members of the Committee on Interior and Insular Affairs feel strongly that the Nation's outdoor recreation needs cannot be met with money alone. Lands suitable for park and recreation purposes are exceedingly scarce, particularly in and near our cities, and no opportunity to convert them to this use should be lost, if at all avoidable. Sometimes, suitable lands belong to some agency of the Federal Government which no longer needs them. When this occurs, there should be some mechanism to see to it that the opportunity to hold them for public use and enjoyment is not lost. This is what H.R. 15913 would do. It would allow unneeded Federal lands, which can be appropriately converted to park and recreation purposes, to be transferred to the Secretary of the Interior and conveyed by him to a State or locality if that is their highest and best use.

EXPANSION OF THE LAND AND WATER CONSERVATION FUND

Turning to the second major feature of H.R. 15913, Mr. Speaker, you will recall that the 1968 Amendments to the Land and Water Conservation Fund Act stabilized the income for the fund at $200 million for 5 fiscal years. At the time that the Congress approved that legislation, it was suggested that the moneys, if appropriated, would go a long way toward completing the acquisition program at authorized outdoor recreation areas and that it would provide a substantial amount of needed financial assistance to the States.

1. THE FEDERAL PROGRAM

I am pleased to report to you that this year, in particular, has seen a tremendous gain in the overall outdoor recreation effort. If funding continues at the level authorized, the backlog of authorized, but unfunded, projects should soon be erased. With this in mind, the authorizing committee has considered some new authorizations which can be promptly funded if H.R. 15913 is enacted.

A number of proposals have been favorably reported by the committee. Some of these, like the proposed Apostle Islands National Lakeshore in Wisconsin, Gulf Islands National Seashore in Mississippi and Florida, and Sleeping Bear Dunes National Lakeshore in Michigan are major projects requiring substantial investments for land acquisition. Others, which are smaller and less costly still must rely on the land and water conservation fund for land acquisition appropriations. Several other Federal projects, like the proposed Voyageurs National Park in Minnesota, the proposed Buffalo National River in Arkansas, the proposed Connecticut River National Recreation Area, and other future proposals will have to rely on the land and water conservation fund, also. In the months and years ahead, other proposals will undoubtedly be forthcoming which will require an additional Federal investment.

2. THE STATE ASSISTANCE PROGRAM

Perhaps more important than the Federal program, however, Mr. Speaker, is the role of the States and their subdivisions. As our report indicates:

The acceleration of the State assistance program is generally considered to be one of the most effective ways to meet the recreation needs of the public.

Most States have committed themselves to aggressive outdoor recreation programs and their need for matching assistance under the Land and Water Conservation Fund Act will continue to grow. If the level of the fund is increased and extended for the life of the program, these anticipated needs can be met. Without the extension of the guaranteed annual income to the fund, the continued effectiveness of the Federal effort cannot be assured. Every State has benefited from the assistance available through the land and water conservation fund and this legislation will enhance their activities.

CONCLUSION

Mr. Speaker, I have gone into this legislation in detail because it is important. The action which the Congress takes will determine the future course of the land and water conservation fund program. And, in so doing, it will materially affect Federal and State programs involving the protection of natural, outdoor areas throughout the Nation. We are aware of the magnitude of the two key elements of this bill, but we are equally impressed with the burden which must be confronted if the public need and desire for more outdoor recreation needs is to be satisfied.

Before concluding, I should mention that I have had some discussions with the leadership of the Committee on Government Operations which has been considering legislation which parallels, in part, H.R. 15913. We feel that the differences between the two bills are reconcilable and, at the appropriate time an amendment will be offered to accomplish the objective which both committees have found desirable. Both the Committee on Interior and Insular Affairs, and the Committee on Government Operations concluded that unneeded Federal lands which are suitable for public park and recreation purposes should be made available to State and local governmental agencies with a public use discount. The only difference between the committees was the selection of the mechanism and the timing of the operation to achieve the result.

Mr. Speaker, H.R. 15913 is sound, practical legislation which is essential to the overall conservation program. I urge the Members of the House to approve it.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members desiring to do so may revise and extend their remarks immediately following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my good friend from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I appreciate my colleague, the chairman of the Committee on Interior and Insular Affairs, yielding to me.

I do so for the purpose of asking him a question. There has been no dispute as

far as the increase from $200 million to $300 million is concerned between anyone on the committee. Is that correct?

Mr. ASPINALL. The gentleman is correct. And there has been no opposition anywhere in the United States that I know of that has come out during our hearings.

Mr. SAYLOR. The dispute arose as to the manner in which surplus property in the Federal Government was to be handled?

Mr. ASPINALL. If the gentleman will permit me, he is correct. That was a matter under the jurisdiction of the Committee on Government Operations. But it went even further. What the bill presently before the House provides is that we take the property as excess property, which is contrary to any existing law, and the Committee on Government Operations recommends we treat it as surplus property.

Mr. SAYLOR. The amendment that will be offered by the gentleman from Texas (Mr. BROOKS) will accept the $300 million ceiling of the committee, which our committee recommended to the Congress, and will deal with the property as surplus Federal property. Is that correct?

Mr. ASPINALL. The gentleman's understanding is correct. Also it will make it possible for us to go to a conference committee with the other body if that is found to be necessary. We could not do that under the procedure that we formerly decided upon.

Mr. SAYLOR. Mr. Speaker, I recommend that this bill be passed.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I will be glad to yield to the gentleman if I have any time left.

Mr. PELLY. As the gentleman knows, I can be very objective because I introduced legislation very similar to the bill reported by this committee and also to that reported by the Committee on Government Operations.

Mr. ASPINALL. If the gentleman will permit me to say so, in my prepared remarks I have referred to all of these bills.

Mr. PELLY. I thank the gentleman. Particularly I wanted to assure myself that it will be possible on surplus property and its disposal through the Secretary of the Interior to have him, at his discretion, give discounts up to 100 percent where property might be acquired at low cost to the Federal Government.

Mr. ASPINALL. The first offering will be to the Administrator of the General Services Administration. Having once decided that, the Secretary of the Interior is invited into the picture, and the gentleman's understanding is correct on that.

Mr. PELLY. I certainly want to compliment the leadership of both committees for getting together and working out the jurisdictional problem. I think it is good legislation and strongly support it.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to the gentleman.

Mr. ADAMS. I want to compliment the gentleman for working out the problems that existed between the two committees on this matter.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado may be allowed to proceed for 1 additional minute for the purpose of my asking him a question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, I should like to ask the chairman of the Committee on Interior and Insular Affairs whether or not this $100 million additional provided for in this bill is only for Federal, or is it for State and local lands?

Mr. ASPINALL. It is for State and local. It follows the formula that we provided for in the Land and Water Conservation Act. Certain percentages go for acquisition. Certain percentages are divided between the States, and the States have control over it. The gentleman is correct in his assumption that the States' share will be just the same as it is under the present law.

Mr. MINSHALL. In other words, in the case of the State of Ohio any State parks or local parks could be eligible for these funds?

Mr. ASPINALL. The gentleman is correct.

Mr. MINSHALL. I thank the gentleman.

AMENDMENT OFFERED BY MR. BROOKS AS AN SUBSTITUTE FOR THE COMMITTEE AMENDMENT

Mr. BROOKS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS as a substitute for the committee amendment: Strike everything after the enacting clause and insert in lieu thereof the following:

"That subsection 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c)) is amended as follows:

"'(a) In clause (1), strike out "five fiscal years beginning July 1, 1968, and ending June 30, 1973" and insert "fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989."

"'(b) In clause (2), after "$200,000,000" insert "or $300,000,000" and after "for each of such fiscal years," insert "as provided in clause (1),".'

"SEC. 2. Section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(2) as section 203(k)(3), and by adding a new section 203(k)(2) as follows:

"'(k)(2) Under such regulations as he may prescribe, the Administrator is authorized, in his discretion, to assign to the Secretary of the Interior for disposal, such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary of the Interior as needed for use as a public park or recreation area.

"(A) Subject to the disapproval of the Administrator within 30 days after notice to him by the Secretary of the Interior of a proposed transfer of property for public park or public recreational use, the Secretary of the Interior, through such officers or employees of the Department of the Interior as he may designate, may sell or lease such real property, including buildings, fixtures, and equipment situated thereon, for public park or public recreational purposes to any State, political subdivision, intrumentalities thereof, or municipality.

"'(B) In fixing the sale or lease value of property to be disposed of under subparagraph (A) of this paragraph, the Secretary of the Interior shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or municipality.

"'(C) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

"'(i) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event that such property ceases to be used or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

"'(ii) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

"'(D) "States" as used in this subsection includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.'

"SEC. 3. The first sentence of subsection (n) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(n)), is amended by striking '(k)' and substituting '(k)(1)' in lieu thereof.

"SEC. 4. Subsection (o) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(o)), is amended to read as follows:

"'(o) The Secretary of Health, Education, and Welfare, with respect to personal property donated under subsection (j) of this section, and the head of each executive agency disposing of real property under subsection (k) of this section shall submit during the calendar quarter following the close of each fiscal year a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) showing the acquisition cost of all personal property so donated and of all real property so disposed of during the preceding fiscal year.'

"SEC. 5. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) is amended by—

"'(1) striking out the phrase "public park, public recreational area, or" in paragraph (1) thereof; and

"'(2) striking out the first full sentence of paragraph (2) thereof.' "

Mr. ASPINALL (during the reading). Mr. Speaker, I ask unanimous consent that this amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

(Mr. BROOKS asked and was given permission to revise and extend his remarks.)

Mr. BROOKS. Mr. Speaker, I rise to offer an amendment to H.R. 15913. My amendment does not change in any way the purpose of this legislation, but it does resolve a jurisdictional problem that has arisen between the Government Operations Committee and the Committee on Interior and Insular Affairs. This amendment has the support of the distinguished chairman of the Interior Com-

mittee, WAYNE ASPINALL of Colorado, who is the sponsor of this legislation, and also the support of the acting chairman of the Government Operations Committee, CHET HOLIFIELD of California.

The amendment which I offer as a substitute for the committee amendment would, in effect, delete those sections of H.R. 15913 relating to the transfer of excess Federal property for park and recreational purposes and would insert in lieu thereof language authorizing the transfer of surplus Federal property to State and local governments for park and recreational uses. The provisions of H.R. 15913 referring to the funding of the land and water conservation fund would not be affected by this amendment.

My amendment is for the purpose of maintaining a unified approach to the management of the Federal Government's property. The bill we are presently considering, H.R. 15913, makes property that is "excess to the needs of the Federal agencies" available for donation to the States.

Under this language, the property would not necessarily be surplus to the needs of the Federal Government, and the States could compete equally with another Federal agency for the use of the property. I do not believe that Federal Government property should be available for donation so long as there is an outstanding Federal need.

Also, there are a number of existing public service programs which the Congress has authorized to receive surplus Federal properties. These include health and educational uses, airport development, and housing projects. Under none of these programs is the property available while it is in "excess" status as opposed to "surplus" status. If park and recreational users were allowed to request the property when it is excess but not surplus, that use will be given a priority over these other programs.

My amendment would change this bill only to make the property available when it is surplus rather than excess and to avoid giving any of these highly deserving programs a priority over the others. It would also protect any continuing Federal use for the property.

The Congress long ago enacted legislation unifying most of the Federal Government's property management in one agency, the General Services Administration. If the Government's property management and disposal program is fragmented and duplicated throughout the Federal Government, the taxpayers will only lose in the long run.

My amendment will avoid this fragmentation by making this legislation consistent with that of the other donable property programs and by retaining responsibility for the determination of the highest and best use of Federal property in the Administrator of General Services.

Again, my amendment does not affect in any way the provisions of this legislation regarding the funding of the land and water conservation fund. This amendment contains the exact language of section 4 of the Interior Committee amendment which increases the minimum funding level of the land and water conservation fund from $200,000,000 per year to $300,000,000 per year and extends the term for that funding level to 1989.

Mr. Speaker, the Government Operations Committee has the responsibility for overseeing the Federal Government property disposal programs. The language I offer in my amendment is consistent with legislation unanimously passed by the Government Operations Committee and now awaiting floor action. That legislation, H.R. 18275, resulted from consideration of legislative proposals introduced by 135 Members of Congress.

This amendment would accomplish the objectives of both the Interior Committee bill and the Government Operations Committee bill. It would provide valuable Federal assistance to State and local governments in their efforts to provide adequate services, including park and recreational areas, for their residents.

I urge adoption of this amendment as a substitute to the committee amendment now pending, and I want to express my appreciation to the distinguished chairman and acting chairman of the two committees involved for their diligent efforts in working out this solution to this problem.

I also include pertinent portions of House Report No. 91–1313 on H.R. 18275 in the RECORD at this point since it would be the appropriate legislative history to refer to with regard to the surplus property provisions of the amended bill:

REPORT

The Committee on Government Operations, to whom was referred the bill (H.R. 18275) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the disposal of surplus Federal property for park and recreational uses, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

HEARINGS

On June 9, 1970, the committee, through its Government Activities Subcommittee, held hearings on H.R. 15870, H.R. 15984, H.R. 16023, H.R. 16024, H.R. 16031, H.R. 16038, H.R. 16045, H.R. 16052, H.R. 16109, H.R. 16237, H.R. 16346, H.R. 16450, H.R. 16864, H.R. 17675, and H.R. 504, all relating to the disposal of surplus Federal property for park and recreational uses. Following that hearing, the chairman of the subcommittee introduced a clean bill, H.R. 18275, embodying the essential provisions of those bills with regard to surplus property disposal.

PURPOSE

H.R. 18275 would amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the sale or lease of surplus Federal property to State and local governments, at discounts of up to 100 percent, for park and recreational use.

The objective of the program is to allocate a larger portion of this Nation's land area to park and recreational uses, to preserve our fast-disappearing open spaces, and to assist local governments in providing more and better facilities to meet the recreational needs of our growing communities. As America becomes increasingly urbanized and industrialized, the need for public parks and recreational areas becomes more apparent each day and, at the same time, more difficult to meet.

BACKGROUND

The Federal Government has long had a program to assist State and local governments in acquiring park and recreational areas. One facet of this program has been a provision making surplus Federal property available to State and local governments for park and recreational purposes at 50 percent of fair market value.

This program has aided some communities in their park development programs but for the most part has been ineffective. Cities, hardpressed for additional tax funds for priority programs, have had great difficulty in generating the revenues needed to meet the 50 percent requirement. The requests for surplus property under this program have been decreasing in recent years.

DISCUSSION

This legislation would make surplus Federal real property, including buildings, fixtures, and equipment thereon, available by sale or lease to State and local governments at discounts of up to 100 percent depending on the benefits which have accrued or may accrue to the public of the United States in the continuing use of the property. For all practical purposes, that benefit would be 100 percent in all but the rarest of cases, since absent such substantial benefit the property would not qualify for transfer under this legislation.

Pursuant to H.R. 18275, the Secretary of Interior would have the responsibility for identifying the surplus properties needed for park and recreational uses. The Secretary would make his recommendations to the Administrator of General Services.

In those instances in which he, in his discretion, agreed with the Secretary of Interior, the Administrator would assign the properties to the Secretary for disposal in accordance with the other provisions of this legislation. If the Administrator, in view of his responsibility for the entire Federal Government's property acquisition, management, and disposal programs, disagrees with the recommendation of the Secretary of Interior and concludes that a park or recreational facility is not the highest and best use of the property, then there is no obligation upon him to transfer the property to the Secretary of Interior.

The primary responsibility for determining the most efficient and effective use of Federal Government property remains in the Administrator of General Services. This procedure is consistent with the long-standing policy established by the Congress which unifies as much as possible the Government's property management program in one agency.

Over the years Congress has established a number of programs which can obtain surplus Federal property in fulfilling their objectives. Among these are various housing programs, airport development, and health and educational programs. To these, this legislation would add increased opportunity for park and recreational uses.

All of these programs are in the public interest, and only if they compete more or less equally for surplus Federal property can such property be applied to its most beneficial use. This legislation, accordingly, leaves the responsibility for making the decision as to highest and best use in the Administrator without creating any priorities or fragmenting the surplus property program.

Under this legislation, the property would become available for transfer to the State or local government only after all Federal use for the property has been exhausted and the property has been declared surplus to the needs of the Federal Government. The property would not be available for transfer to a non-Federal agency so long as it is only ex-

cess to the needs of a particular department but not yet declared surplus to the needs of the Federal Government.

After the property has been assigned to the Secretary of Interior for disposal under this legislation, the Secretary must notify the Administrator of the proposal transfer. The Administrator then has 30 days in which to disapprove the transfer if, in his discretion, it is not in the best interests of the Federal Government.

The intent of this legislation is to assist the local governments in meeting their responsibilities for providing park and recreational areas. The national park program cannot meet all of the requirements. Traditionally, the States and cities have supplemented that program with regional and local park areas. The Nation's needs will be met only if both programs are adequately and enthusiastically supported.

Lands transferred pursuant to this legislation must be perpetually maintained as a park or recreational area. If at any time such use ceases, ownership of the property will revert to the United States.

The governmental agencies receiving property under provisions of this legislation will be responsible for developing and maintaining the land and facilities to appropriately fulfill the purposes for which the property was transferred. The State and local governments must also assure that parks and recreational facilities acquired in this manner will be open for use by the general public.

It is not possible at this time to estimate the amount of surplus property that might be suitable for park and recreational uses. It is assumed, however, that far more interest in the program will be exhibited than was apparent under the present 50 percent discount program.

Governments at all levels have a responsibility for providing areas for quiet relaxation, energetic recreation, and unpolluted beauty for the betterment of our Nation's people. The need grows each day. This legislation is an attempt to meet that need.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill authorizes the Administrator, in his discretion, to assign to the Secretary of the Interior surplus real property recommended by the Secretary as needed for a public park or recreation area. The Secretary of the Interior may then sell or lease the property to a State, political subdivision, or municipality. Such sale or lease may not be made until 30 days after the Administrator is notified of the proposed transfer, during which time the Administrator can disapprove the transfer.

In fixing the sale or lease value of the property, the Secretary shall take into consideration any benefit which has accrued or may accrue to the United States from the use of the property by the State or local government.

It is required that the deed of conveyance provide that such property will continue to be used and maintained in perpetuity for the purpose for which it was transferred. If such use ceases, the property shall revert to the United States.

The District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States are considered to be within the meaning of "States" as used in this statute.

SEC. 2 of the legislation is a technical amendment changing a reference to subsection "(k)" in subsection (n) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(n)) to refer to subsection "(k)(1)." The provisions of subsection (n) relate only to section (k)(1) and not to the new subsection (k)(2) added by this legislation.

Section 3 amends subsection 203(o) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(o)), by requiring that the head of each agency disposing of properties under subsections (j) and (k) of section 203 of the act (40 U.S.C. 484 (j) and (k)) submit during the calendar quarter following the close of each fiscal year a report to the Senate and the House of Representatives showing the acquisition cost of all property disposed of under these provisions during the preceding fiscal year.

Section 4 of the bill repeals those provisions of the Surplus Property Act of 1944 (50 U.S.C. app. 162(h)) creating the present program making surplus property available to State and local governments for public park and public recreational areas at 50 percent of fair market value.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to my distinguished colleague from New York, the ranking minority member of the Subcommittee on Government Activities which considered this legislation and I commend the gentleman from New York for his diligent work on this bill.

Mr. REID of New York. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the amendment offered by the gentleman from Texas (Mr. BROOKS) to the Land and Water Conservation Fund Act. As a coauthor of H.R. 18275 which was reported by the Government Operations Committee and which constitutes the heart of this amendment, I urge the adoption of this amendment and the bill, H.R. 15913.

As Members of this body are well aware, our country's park and recreation facilities are becoming increasingly more inadequate in meeting the needs of a burgeoning population. Large expanses of land remain vacant or underutilized. Too often, such property is presently being utilized as Federal installations for purposes and priorities far lower in order than the value and location of such property would otherwise justify. In many instances, these Federal installations are located within urban areas where dense populations exist and where park and recreation facilities are most needed. Yet, as a result of existing law and executive department land management, property which could be best utilized for such purposes remains otherwise employed.

Under existing law, real property declared surplus by the Federal Government may be disposed of to State and local governments for educational, public health, housing, airport development, and park and recreational purposes. In all cases other than the latter, States and local governments may receive such property without cost while that for park and recreation purposes may only be obtained if 50 percent of the appraised fair market value is contributed. As a result, State and local governments who are regularly short of money tend ot obtain surplus property for other priority purposes. In addition, even if a State or local government determined to allocate scarce income for the acquisition of park and recreational property, that best suited for such purposes is tied up in underutilized Federal installations.

Data covering recent years property disposal activities all too clearly bears this fact out. Between 1965 and 1969, only 101 pieces of surplus property, totaling 34,583 acres and having an appraised fair market value of $19.6 million, was conveyed to State and local governments for park and recreational purposes. Over the life of this program, dating back 22 years now, State and local governments have received on average less than $1 million annually in fair market valued real property. This record of disposals represents a mere fraction of the total real property disposed by the General Services Administration and the Interior Department over these years.

The opportunity now exists, however, for the Congress to correct this imbalance. First, the President has directed all Federal agencies to survey their property holdings and, pursuant to GSA standards and procedures, to declare those properties surplus which can better be utilized otherwise. If this directive is carried out conscientiously and in good faith, much needed property can be made available to State and local governments for park and recreational purposes.

Concurrently, enactment of this bill before us, as amended by the proposal offered by Mr. BROOKS, will: First, provide additional funds to State and local governments under the Land and Water Conservation Fund Act to acquire private property for park and recreation purposes, and second, enable Federal surplus real property to be turned over to State and local governments for such purposes on the same priority basis as is the case today for other purposes.

The Interior Department has proposed that Forts Hancock and Tilden, no longer necessary for the defense of New York Harbor, be combined with city and State-owned land to create the Gateway National Recreation Area. It is my hope that other Federal property in New York State will soon be made available for similar purposes.

Too long we have neglected the recreational needs of our citizens, Mr. Speaker. The time has now come when we must face up to this problem. I urge the adoption of the amendment and the bill.

Mr. MEEDS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Speaker, I thank the gentleman for yielding.

The amendment offered by the gentleman strikes out some language, as the gentleman pointed out, which was in the Interior bill. Some of the language which was stricken contained two additional methods of transfer. Those methods were: no consideration where the United States had acquired the land involved originally by donation, and at prices equal to the price paid by the United States when it acquired the land. I was the author of those amendments, and the purpose of those amendments was to make sure that there were alternate methods provided so that this land was actually transferred at actually no cost.

I am very happy to see in the report of the Committee on Government Operations the following language which appears on page 2, in which it states:

For all practical purposes that benefit would be 100 percent in all but the rarest of cases since absent such substantial benefit the property would not qualify for transfer under this legislation.

Is this committee using this language in the context that the Secretary is, as it says, in all except the rarest cases, to transfer this property for all intents and purposes free of charge to the municipalities and States involved?

Mr. BROOKS. The gentleman is correct, and I think that the gentleman from Washington who has made a study of this should be commended for his interest and efforts in trying to establish a way by which States and local communities can acquire, on a realistic basis, the public properties they need for parks and recreational uses.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I have two questions to ask for information only.

First, for the benefit of the Members, could the gentleman tell us the difference, for the purposes of this bill, between excess and surplus property?

Mr. BROOKS. Excess property is that which the Government, or one agency of the Government, does not have further use, and at which time, it is circulated to other Government agencies for possible use.

At that time, if there is no other Government agency that has use for it, it is deemed to be surplus property. The property then would become eligible under this program for park and recreational uses, as it is now for health and education purposes.

Mr. HALL. The gentleman, I think, has anticipated my second question.

Would the process that Congress by law has now placed on the administrator of the General Services Administration still be gone through with as to lands held by the government in title in this instance up until the time they did, in fact, become surplus? I mean priorities for educational institutions and so forth and so on before they would be deeded to the land and conservation use fund?

Mr. BROOKS. The same process followed with regard to excess property would be continued by the GSA.

Mr. HALL. I thank the gentleman.

Mr. HOLIFIELD. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I just want to thank the chairman of the Committee on Interior and Insular Affairs for his cooperation in this matter. We felt that the purpose to be served was worthy of the cooperation of both committees and we have been pleased to cooperate in the objective, which is to make surplus Federal land available on the same relatively free basis as it is now available for hospitalization and educational purposes.

Heretofore, land for recreation had to be sold at 50 percent of its market value. It now assumes the same position in priority as hospitalization and education. We believe it is a worthwhile purpose in view of the need for recreation land throughout the Nation.

We appreciate very much the cooperation of the members of the Committee on Interior and Insular Affairs in working out this solution.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield for a question?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. TAYLOR. What you are saying is that the amendment would give to the recreation needs of State and local units the same consideration now being given to their health, education, airport, and housing needs?

Mr. HOLIFIELD. That is right.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, it seems to me that we are here embarking on an expenditure of a lot of money, if I read this report correctly. Funding at a $300 million annual level until 1989, which is about 19 years from now—funding at $300 million a year is a lot of money.

If my mathematics are correct, or even close, this is more than $5 billion; could that be correct?

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. ASPINALL. The gentleman's mathematics are correct as usual.

On the other hand, it is always subject to the program that is placed before the appropriating process of the United States, both the Federal, executive, and the Congress of the United States.

At the present time, this money is needed to the fullest extent. Maybe a few years from now, it will not be needed. If it is not needed, most certainly the Congress of the United States is not going to appropriate the money.

Let me say to my colleague, and I understand what is bothering him, we passed a small water project bill a few years ago, which has a potential of about $11 billion plus. We have not used any particular part of that so far.

But it is there, and if the appropriation process sees fit to use the money, and it will be needed, it will be there. We need this $300 million additional in order to bring up our recreational program for the United States, I do not believe that merely because the bill would extend the life of the land and water conservation fund that my friend need be alarmed.

Mr. GROSS. Somebody had better begin to be alarmed around here about the condition of the debt, the deficit, inflation, and a few other things.

May I ask the gentleman this question: Where has the bulk of this money been expended throughout the country? Where on the record can we find that information? There have been public expenditures for this purpose, I take it, for a good many years.

Mr. ASPINALL. I would estimate that about half of the money authorized has been expended by the President of the former administration and the President of this administration in his first year. But now the Executive Department is asking for the authority that is given in this legislation so that they can bring these projects up to date. We are losing money, as my friend knows, every day because we cannot finance the authorizations that we have passed in the Congress and which have been approved by the Executive Department. This will make it possible to proceed with those projects.

Mr. GROSS. I would just like to know if this money is being dispensed across the country evenhandedly.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I just want to say to my colleague that it is being dispensed throughout the 50 States in accordance with a formula that the Congress approved.

Now, what is necessary for the State of Iowa or any other State of the Union, is to submit to the Commission that has charge of this a plan for the use of the money—the Bureau of Outdoor Recreation—and if they submit their plan, money will have been made available.

I can only say that one of the things we have discovered is that the reason for the increased cost of many of the projects which have been approved is that the Federal Government and the State governments have not been able to go ahead and acquire these lands at the time the bills pass. Therefore prices skyrocket. With this increase in money we can do it.

Mr. GROSS. When you project 19 years at the proposed rate of spending, it comes to $5,700 million of spending. I do not know. Unless something is done about the debt, the deficit and inflation in this country whether the people are going to enjoy the areas for recreation or not. I do not know that they are going to be able to get there to enjoy these areas of recreation unless somebody, somewhere, some day starts to pay something on the Federal debt. This is a lot of money and a commitment a long time into the future.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. KYL. In response to the gentleman's first question, this money is being distributed across the country. However, the Federal Government also retains a large portion of this money. When the fund was established, it was anticipated by the Congress and certainly by the committee——

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 1 additional minute.)

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. KYL. When this fund was first established, it was assumed that the money would be additional money for the purchase of lands and the development of lands, in addition to the appro-

priations which had been made in the past by the appropriations committees of the two Houses. Immediately when this fund was established the Appropriations Committee said, "All right, the House has authorized a park in Texas. They have authorized a park in Iowa. They have authorized a park in California. We are going to pay for those lands, not out of general appropriations, but from this fund which was established under the Land and Water Conservation Act."

Mr. GROSS. Cut it thick or thin, it is all money, and somebody is going to have to start paying something on the debt some day.

Mr. KYL. The gentleman knows that I do not disagree with him on that issue. I would like to continue with this point further. In a real sense, these are not additional funds. These have replaced the appropriations which have been made before. I agree with the gentleman, too, when he says we ought to do some cutting. But the reason we are behind with the setting up of national parks and preservation of areas is the Congress has authorized these areas and the money has not been appropriated to take care of the purchase and development.

Mr. PELLY. Mr. Speaker, I rise in support of H.R. 15913 and especially I desire to compliment the chairman and members of the House Committee on the Interior and likewise the members of the House Committee on Government Operations for combining bills reported by each committee into a single bill. Similar legislation passed the Senate so that, there is now every assurance a good piece of legislation will be enacted and no disputes over committee jurisdiction will block passage of a good bill.

Mr. Speaker, I can speak objectively since I introduced two bills, very similar to each of those reported by each committee. I am particularly happy that under H.R. 15913 in disposing of surplus military property suitable for park and recreational purposes the Secretary of the Interior will be able to give local governments discounts up to 100 percent. This was in my bill and was recommended to Congress in a message by President Nixon.

Mr. Speaker, in the First Congressional District of the State of Washington, which I have the honor to represent, there is an obsolete military fort called Fort Lawton. It is hoped that the city of Seattle under this new law could obtain much of this property for park and recreational purposes since the property was transferred at a nominal cost of about $1 an acre, it would seem that that quite properly Seattle should acquire this acreage at no cost. I urge adoption of this bill.

Mr. BENNETT. Mr. Speaker, I am pleased to support this bill, amending the Land and Water Conservation Act, to allow the transfer of Federal land to State and local governments for park and recreational purposes. This legislation is similar to legislation reported from the House Committee on Government Operations concerning disposition of Federal surplus property and which I introduced as H.R. 15870 on February 16, 1970.

My bill included certain recommendations in the President's message of February 10, 1970 on the environment, particularly with respect to parks and public recreation, and had the support of the administration.

In his state of the Union message, President Nixon said:

> Clean air, clean water, open spaces—these should once again be the birthright of every American. If we act now—they can be.

One way we can accomplish this challenge is through the sale of surplus Federal property to augment park funds and to provide for such sales to State and local governments for park and recreation purposes at public benefit discounts of up to 100 percent.

The bill I introduced and legislation before the House today would carry out this program. President Nixon said:

> Good sense argues that the federal government itself, as the nation's largest landholder, should address itself more imaginatively to the question of making optimum use of its own holdings in a recreation hungry era.

Our population explosion, movement to the cities and demands for more leisure time activities makes it imperative our Nation have more outdoor recreation areas.

Under existing law, surplus lands may be conveyed to States and local governmental subdivisions at a price equal to 50 percent of the fair value of the property, based on its highest and best use at the time it is offered for disposal. High land values and interest rates make even this discount difficult for States and local governments. The Department of Interior and the administration agencies involved believe it is essential to give a greater price discount for these public lands for outdoor recreational plans. I agree and I hope this program will be enacted into law.

Mr. Speaker, over the last several years I have been proud to be a cosponsor of the landmark conservation bills which have been enacted into law, including the Wilderness Act and Land and Water Conservation Act.

The quiet conservation crisis of the 1960's has grown into a large environmental emergency—our No. 1 domestic problem in the 1970's.

I congratulate the chairman and the committee for meeting this challenge: to insure all Americans—and future generations—a better place in which to live and raise our children. I hope the House of Representatives will approve the bill.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the substitute amendment offered by the gentleman from Texas (Mr. BROOKS) for the committee amendment.

The substitute amendment for the committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 1149, the Committee on Interior and Insular Affairs is discharged from further consideration of the bill S. 1708.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. ASPINALL moves to strike out all after the enacting clause of S. 1708 and insert in lieu thereof the provisions of H.R. 15913, as passed, as follows:
>
> "That subsection 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c)) is amended as follows:
>
> "'(a) In clause (1), strike out "five fiscal years beginning July 1, 1968, and ending June 30, 1973" and insert "fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989."
>
> "'(b) In clause (2), after "$200,000,000" insert "or $300,000,000" and after "for each of such fiscal years," insert "as provided in clause (1),".'
>
> "SEC. 2. Section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(2) as section 203(k)(3), and by adding a new section 203(k)(2) as follows:
>
> "'(k)(2) Under such regulations as he may prescribe, the Administrator is authorized, in his discretion, to assign to the Secretary of the Interior for disposal, such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary of the Interior as needed for use as a public park or recreation area.
>
> "'(A) Subject to the disapproval of the Administrator within thirty days after notice to him by the Secretary of the Interior of a proposed transfer of property for public park or public recreational use, the Secretary of the Interior, through such officers or employees of the Department of the Interior as he may designate, may sell or lease such real property, including buildings, fixtures, and equipment situated thereon, for public park or public recreational purposes to any State, political subdivision, instrumentalities thereof, or municipality.
>
> "'(B) In fixing the sale or lease value of property to be disposed of under subparagraph (A) of this paragraph, the Secretary of the Interior shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or municipality.
>
> "'(C) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—
>
> "'(i) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event that such property ceases to be used or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and
>
> "'(ii) may contain such additional terms,

reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

"'(D) "States" as used in this subsection includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.'

"SEC. 3. The first sentence of subsection (n) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(n)), is amended by striking '(k)' and substituting '(k)(1)' in lieu thereof.

"SEC. 4. Subsection (o) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(o)), is amended to read as follows:

"'(o) The Secretary of Health, Education, and Welfare, with respect to personal property donated under subsection (j) of this section, and the head of each executive agency disposing of real property under subsection (k) of this section shall submit during the calendar quarter following the close of each fiscal year a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) showing the acquisition cost of all personal property so donated and of all real property so disposed of during the preceding fiscal year.'

"SEC. 5. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) is amended by—

"(1) striking out the phrase 'public park, public recreational area, or 'in paragraph (1) thereof; and

"(2) striking out the first full sentence of paragraph (2) thereof."

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 15913) was laid on the table.

CORRECTION OF VOTE

Mr. VANDER JAGT. Mr. Speaker, on rollcall No. 266, I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the RECORD of today be corrected accordingly.

The SPEAKER pro tempore. Is there objection to the reqeust of the gentleman from Michigan?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. SCHWENGEL. Mr. Speaker, I should like to say, in respect to my own request for a special order, and that of the gentleman from Kentucky (Mr. COWGER) we intend to speak Wednesday to give our report on the trip to Vietnam. I pointed out to the House some time ago, as many Members know, a group of volunteers went there. We have a report ready and we will be discussing it on the House floor at the time requested.

PERSONAL EXPLANATION

Mr. COHELAN. Mr. Speaker, on rollcall No. 261 today I was absent from the Chamber unavoidably detained on the other side of the Capital. Had I been present, I would have voted "yea."

THE KIDNAPING AND DEATH OF DAN MITRIONE

(Mr. DENNIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DENNIS. Mr. Speaker, last week I stood in this place and spoke against the wanton act of terrorism in the Republic of Uruguay which had resulted in the wounding and kidnaping of my friend and hometown constituent, Dan Mitrione.

Today, after days of repeated and anxious consultation with our Government, I am compelled to speak in commemoration of Dan's life of service to his country, and in sad and stern condemnation of the manner of his death.

Dan Mitrione was a respected and well-liked citizen of my native city, Richmond, Ind. He was a member of the police force there, rose in the ranks, and became our chief of police.

Later he became affiliated with the U.S. Agency for International Development and was serving in Uruguay, in that field of work, as a police advisor, at the time of his heartless murder by the Uruguayan terrorists.

Dan Mitrione's murder comes as a shock to all Americans, and particularly, of course, to his family and his many friends. It is a sad commentary on the state of the world that a good American who goes abroad to serve his country and, indeed, to serve humanity, should be murdered by a gang of thugs and terrorists.

In addition to the personal blow to those who knew him, Dan Metrione's death raises even larger questions. Not only must the most vigorous action be taken by our Government and by the Uruguayan Government in an all-out effort to bring the murderers to justice, but we must consider the effect on the safety and welfare of many other Americans in similar situations in other countries all around the globe. We must note with concern the widespread incidence of terroristic tactics of this nature; nor can we afford to ignore the fact that we have similar elements to contend with, even here at home.

Vigilant action to enforce our laws at home is indicated; and, in the international field, I would hope that Dan Mitrione's tragedy might lead to an international cooperation against such terrorists, with an international agreement to deny political asylum or sanctuary to such persons. Perhaps by actions of this kind the world may ultimately profit by Dan Mitrione's untimely death, as it did from his useful life of service to his fellow man.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from Michigan, the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I wish to commend the gentleman from Indiana for the concern he is now expressing on the floor of the House and also for the concern he expressed last week at the time Mr. Metrione was being held by the terrorists in Uruguay.

At that time the gentleman called me and asked if I could call the Department of State to express my concern about Mr. Metrione's welfare, which I did. Almost paradoxically within 24 hours after the gentleman from Indiana called me about Mr. Metrione, I received a telephone call from a constituent of mine whose uncle, Mr. Claude Fly, had subsequently been captured by the terrorists and was being held by them.

Subsequently, I called the Department of State and asked them to redouble their efforts with the Uruguayian Government, as well as in any other way possible. They promised that they would.

I think it is a tragedy that Mr. Metrione has been executed. I hope and trust that Mr. Fly, whose home is in Port Collins, Colo., but who has a close relative in my district, will be spared this tragic fate.

Mr. DENNIS. I thank the minority leader for his contribution and his assistance.

THE LATE DAN MITRIONE

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.).

Mr. HALL. Mr. Speaker, I want to associate myself with the remarks of the distinguished minority leader and the gentleman from Indiana (Mr. DENNIS) on the untimely death of Dan Mitrione.

Mr. Speaker, we now know that at 4:30 o'clock this morning, Dan Metrione, the 50-year-old American father of nine children serving as the chief public safety adviser to the police of Uruguay, paid with his life the price of terrorism in Latin America. His body, bandaged about the chest from a gunshot wound received when he was kidnaped 11 days ago on July 31, was trussed, his mouth gagged, his eyes blindfolded, and with a fresh bullet hole in his head, was found by police on the seat of an automobile taken from its driver at gunpoint a little after midnight last night in Montevideo. Residents of the neighborhood heard the shot at 4:30 this morning and reported it to the police. Eight minutes later police found his body in the stolen car. His sorrowed subordinates who worked with him training and advising the Uruguayan police, identified the body.

Thus came to an end the gallant fight waged by his American public safety and Uruguayan police comrades since July 31 to find Dan Mitrione, before the band of

Public Law 91-485
91st Congress, S. 1708
October 22, 1970

An Act

To amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c)) is amended as follows:

Federal lands for parks and recreation.
82 Stat. 355.
16 USC 4601-5.

(a) In clause (1), strike out "five fiscal years beginning July 1, 1968, and ending June 30, 1973" and insert "fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989."

(b) In clause (2), after "$200,000,000" insert "or $300,000,000" and after "for each of such fiscal years," insert "as provided in clause (1),".

Disposals by Secretary of Interior.
63 Stat. 387.

SEC. 2. Section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(2) as section 203(k)(3), and by adding a new section 203(k)(2) as follows:

"(k)(2) Under such regulations as he may prescribe, the Administrator is authorized, in his discretion, to assign to the Secretary of the Interior for disposal, such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary of the Interior as needed for use as a public park or recreation area.

"(A) Subject to the disapproval of the Administrator within thirty days after notice to him by the Secretary of the Interior of a proposed transfer of property for public park or public recreational use, the Secretary of the Interior, through such officers or employees of the Department of the Interior as he may designate, may sell or lease such real property, including buildings, fixtures, and equipment situated thereon, for public park or public recreational purposes to any State, political subdivision, instrumentalities thereof, or municipality.

"(B) In fixing the sale or lease value of property to be disposed of under subparagraph (A) of this paragraph, the Secretary of the Interior shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or muncipality.

84 STAT. 1084
84 STAT. 1085

"(C) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

Deed of conveyance.
Reversion of title.

"(i) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event that such property ceases to be used or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

"(ii) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

"(D) 'States' as used in this subsection includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States."

"States."

Surplus property, use by States.
70 Stat. 494.

SEC. 3. The first sentence of subsection (n) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(n)), is amended by striking "(k)" and substituting "(k)(1)" in lieu thereof.

69 Stat. 84, 430; 79 Stat. 1312.
Reports to Congress.

SEC. 4. Subsection (o) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(o)), is amended to read as follows:

"(o) The Secretary of Health, Education, and Welfare, with respect to personal property donated under subsection (j) of this section, and the head of each executive agency disposing of real property under subsection (k) of this section shall submit during the calendar quarter following the close of each fiscal year a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) showing the acquisition cost of all personal property so donated and of all real property so disposed of during the preceding fiscal year."

62 Stat. 350.

SEC. 5. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) is amended by—

(1) striking out the phrase "public park, public recreational area, or" in paragraph (1) thereof; and

(2) striking out the first full sentence of paragraph (2) thereof.

Approved October 22, 1970.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 91-1225 accompanying H.R. 15913 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 91-227 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD:
Vol. 115 (1969): June 12, 26, considered and passed Senate.
Vol. 116 (1970): Aug. 10, considered and passed House, amended, in lieu of H.R. 15913.
Oct. 8, Senate concurred in House amendment.

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